

D/L 16
14.08.2025
ct.no.35
Kausik

W.P.A. 17929 of 2025

**Asma Mir @ Asma Sardar
Versus
The State of West Bengal & Ors.**

Mr. Sobhan Majumder
Ms. Kalpita Paul

...for the Petitioner.

Mr. Sirsanya Bandopadhyay, Sr. S.C.
Ms. Tapati Samanta

...for the State.

Petitioner is aggrieved by the manner in which the investigation relating to Canning PS Case No. 112/17 has been progressing. Grievance of the petitioner is that although the case was registered under section 302 of the Indian Penal Code but subsequently charge sheet has been submitted under section 304/34 of the Indian Penal Code and surprisingly the Pradhan was discharged from the case. Being aggrieved by such act and action of the police authorities, petitioner prayed for further investigation. Consequent to which directions were passed but the investigation is still continuing.

Learned advocate appearing for the State has submitted a report. Report reflects that the order for investigation was passed on 24.02.2022 and on 04.06.2025 direction was passed by the

learned ACJM, Alipore to the S.P. Baruipur Police District to endorse the case to an Investigating Officer in the rank of an Inspector. Consequent to which the report reflects that one of the accused persons namely, Khatib Sardar was arrested and he was subsequently released on bail by the learned Sessions Court.

Be that as it may, the investigation is continuing for the last 8 years. Having regard to the period of time which has passed in the meantime, the Superintendent of Police, Baruipur Police District would ensure that the logical conclusion in respect of the further investigation be done at the earliest.

Within a month of date from communication of this Order if the Police Authorities are unable to submit their report under Section 173, learned ACJM would see the progress and call for an explanation from the Superintendent of Police, Baruipur Police District.

With the aforesaid observations WPA 17929 of 2025 is disposed of.

Report submitted be kept with the record. Copy of the report be handed over to the learned advocate appearing for the petitioner.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Tirthankar Ghosh, J.)