

27.10.2025
rc/ct.no.34
Item No.44

WPA No. 20697 of 2025
Md. Kasim & Anr.
Versus
The State of West Bengal & Ors.

Mr. S. Sinha Roy	
Mr. Tapan Roy	..for the petitioner
Mr. Tapan Coomaar Dey	
Ms. S. Das	... for the State

Case Diary is produced by the State.

Heard learned counsels for the parties.

The petitioners lodged a complaint against the private respondents before the police authority on August 21, 2025 alleging offences under Sections 74/117(2)/116/109/3(5) of the BNS and Sections 7/8 of the POCSO Act. Surprisingly, FIR was registered only under Sections 117(2)/3(5) of the BNS. The manner and progress of investigation is far from satisfactory. Only a few statement which resemble each other have been recorded under Section 180 of the BNSS. No investigation appears to have been done in consonance with the complaint lodged by the petitioner in order to unravel the truth. The allegation under the POCSO Act has also not been looked into by the Investigating Officer.

In view of the above, the Investigating Officer is directed to cause proper investigation of the case in terms of the allegations made out in the complaint dated August

21, 2025 and exhaust all the avenues for coming to a conclusion with regard to the said allegations.

With the above observations and directions, the writ petition is disposed of.

Since no affidavit is called for, the allegations contained in the writ petition are deemed not to have been admitted.

There shall be no order as to costs.

Case Diary be returned.

Urgent certified website copy of this order, if applied for, be given to the learned advocates for the parties on usual undertakings.

(Suvra Ghosh,J)