

WPA 10558 of 2026

XXXX

Vs.

The State of West Bengal & Ors.

Mr. Parvej Alam
Mr. Rejwan Ali
Md. Samser Jawan
Md. Nadeem
Mr. Sanjib Nandi

...for the petitioner

Mr. Suryaneel Das
Mr. Partha Chakraborty
Mr. Bhaskar Bhattacharyya
...for the State

1. Matter is heard in presence of learned advocates representing petitioner and State respondents.
2. Petitioner has come up with the present writ petition seeking certain directions upon the concerned police authorities since it is alleged in the complaint of the petitioner that petitioner was victim of rape and accused is son of landlady.
3. It is also contended that statement of victim is not being recorded under Sections 164 Cr. P.C./183 BNSS. Direction is prayed for effective investigation of the complaint lodged by the petitioner that she is victim of rape.
4. Mr. Das, learned Additional Government Pleader representing State respondents has

filed a communication dated 22nd June, 2026 of Inspector-in-Charge, Halisahar Police Station, Barrackpore Police Commissionerate and same is taken on record. Copy of said communication dated 22nd June, 2026 is made over to the learned advocate representing petitioner.

5. It is disclosed in the communication that there was long standing civil dispute subsisting between the mother of the accused person and petitioner and there was a Title Suit being no. 28 of 2023 pending against the petitioner seeking eviction of petitioner. Suit was decreed on 24th July, 2024 in favour of mother of the accused person and said decree was put into execution by initiating execution proceeding being Title Execution No. 07 of 2025. In connection with the said execution proceeding petitioner was evicted on 25th March, 2026 from the property of mother of the accused person and thereafter on 28th March, 2026 complaint was lodged by the petitioner concerning an incident of rape allegedly took place on 27th March, 2026.
6. Based on the complaint lodged by the petitioner criminal prosecution being Halisahar P.S. Case No. 103 of 2026 dated 28th March, 2026 was initiated under certain provisions of

BNS and investigation is going on. It is also disclosed that statement of victim was obtained under Section 180, notice under Section 94 BNSS was issued. Medico Legal Examination of the petitioner was conducted on 30th March, 2026 and the statement of the petitioner was recorded on 17th April, 2026.

7. From the communication dated 22nd June, 2026 it also appears accused person surrendered before learned ACJM, Barrackpore on 18th April, 2026 and was granted bail on the same day.
8. In view of steps taken by the police authority as disclosed in the communication dated 22nd June, 2026 and taking note of the gravity of alleged offence, investigating agency is directed to expedite the investigation and take the same to its logical conclusion at an early date and file report before the jurisdictional Magistrate.
9. This order shall not preclude the petitioner to approach jurisdictional Magistrate, if occasion so arises.
10. Writ petition stands disposed of.
11. Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.