

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 11340 of 2020

Kailash Paswan & Anr.
Vs.
The State of West Bengal & Ors.

Mr. Rajeev Lochan
... For the petitioners

Mr. Tarak Karan
... For the State

Mr. Satudru Lahiri
Mr. Dipondra Nath Chunder
... For the respondent no.4

The petitioners allege to have been falsely implicated in a criminal case registered in terms of a First Information Report bearing no.43 of 2015 of Police Station – B. Garden under Section 376(2)(i)(j) of the Indian Penal Code, 1860 along with Sections 4, 8 and 12 of the Protection of Children from Sexual Offences Act, 2012 (POCSO Act). The petitioners in the instant writ petition, inter alia, seek for a thorough investigation to be conducted in respect of the charges levelled against the petitioners through a Special Investigation Team (in short “SIT”) and/or a senior IPS Officer to find out the actual truth.

The fact is that a criminal case instituted against the petitioners is in the midst of the trial. No interference

on the facts alleged by the petitioners is called for at this stage of the trial. The writ petition is, therefor, dismissed without any order as to costs.

Since I have not called for any affidavits, allegations made in the writ petition are deemed to have not been admitted.

Urgent photostat certified copy of this order, if applied for, is to be given to the parties, upon compliance of necessary formalities.

(Arindam Mukherjee, J.)