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IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE
(Through Video Conference)

WPA 9258 of 2021

Sibojyoti Seal
Vs.
The State of West Bengal & Ors.

Mr. Rahul Chakraborty,
Mr. Soumya Nag,
Mr. Avishek Das
.... For the petitioner.

Mr. Amitesh Banerjee,
Mr. Suddhadev Adak
... For the State

The petitioner is aggrieved with the investigation conducted into the death of Pradip Kumar Seal on 31st August, 2020 and his mother died thereafter on 7th September, 2020. It appears that a U.D. case was registered immediately after the death of Pradip but FIR came to be registered soon after 8th April, 2021 when the writ petition was filed.

It would be premature to make any aspersion on the investigation. This Court, therefore, directs the Assistant Commissioner of Police, Central Division, Kolkata, to appoint a senior officer from his own office to review the existing investigation already conducted by Muchipara Police Station and if necessary, at his discretion, transfer the investigation to another officer.

It is expected that the ACP Central Division shall

take a dispassionate and impartial view of the investigation and final report of the person appointed by the ACP should be made available to the petitioner or his learned advocate-on-record.

This Court has not made any aspersion on the investigation already conducted by Muchipara Police Station. The new Investigating Officer shall take into consideration the charge sheet no.107 of 2020 dated 19th October, 2020, already filed against the respondent no.6, by Muchipara Police Station, in course of investigation.

It is expected that the review investigation shall be completed within a period of one month from date.

With the above observations, WPA 9258 of 2021 is disposed of.

There shall be no order as to costs.

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

(Rajasekhar Mantha, J.)