

15.06.2022
Sl. No.63
srm

W.P.A. No. 8162 of 2022
Riyaj Uddin Paik @ Riyajuddin Paik
Versus
The State of West Bengal & Ors.

Mr. Kaustav Bagchi,
Ms. Priti Kar,
Mr. Debayan Ghosh

...for the Petitioner.

Mr. Amitesh Banerjee,
Ms. Ipsita Banerjee

...for the State-respondents.

Despite service, none appears on behalf of the respondent
Nos.6 to 18. Affidavit of service is taken on record.

The petitioner lost his brother when allegedly some persons hurled bombs. The incident took place allegedly, due to political rivalry. The petitioner lodged a complaint with the Officer-in-Charge, Kulpi Police Station. The incident took place on April 6, 2022. An FIR was registered by the said police station under Sections 326/307/302/34 of the Indian Penal Code read with Sections 3 and 4 of the Explosive Substances Act.

The allegation is that the respondents/accused persons have been roaming around in the locality, but being influential persons they have been able to avoid arrest. Thus a prayer is made before this Court, for transfer of the investigation to the CID, West Bengal.

Mr. Amitesh Banerjee, learned Senior Standing Counsel, appearing on behalf of the State-respondents, submits that Kulpi Police Station Case No.100 of 2022 was registered. Some of the accused persons were arrested and some were absconding. According to Mr. Banerjee, the police authorities have taken expeditious steps to conclude the investigation in a free, fair and judicious manner without any undue influence. He negates the allegation of political rivalry.

Heard the parties. This Court is of the view that as the petitioner lost his brother and the provisions of the Explosive and Substances Act have been attracted, the investigation must be speedy and efficacious.

Under such circumstances, the writ petition is disposed of with a direction upon the Officer-in-Charge Kulpi Police Station to complete the investigation, himself, within four months from the date of communication of this order and the entire supervision of such investigation shall be conducted by the Superintendent of Police, Sundarban Police District. Such order is being passed, in view of the seriousness of the allegations. The police authorities shall ensure that the petitioner is not unnecessarily harassed or harmed in any way.

The writ petition is, thus, disposed of.

There will be no order as to costs.

All parties are to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)