

23.08.2022  
Court No. 19  
Item 492 (ML)  
CP

WPA No. 20045 of 2021

Anup Sen  
Vs.  
The State of West Bengal & ors.

Mr. Riju Ghosal  
Mr. Mritunjoy Chatterjee  
Md. G. N. Imrohi

...for the petitioner.

Mr. Samrat Sen  
Mr. Nilotpall Chatterjee  
Mr. Amrita Lal Chatterjee

...for the State.

Mr. Sayan Chattopadhyay  
Mr. Suman Karmakar  
Mr. S. Bhattacharya

....for the respondent no. 7.

The Deputy Commissioner of Police will look into the matter, as there are allegations against the respondent no. 4, and take a decision as to what steps must be taken on the basis of the complaint of the petitioner.

This order shall not be treated as an opinion of the court on the complicity of the respondent nos. 4 and 7, in the alleged incident. The entire issue is within the domain of the said authority.

The police authorities shall make an effort to collect the relevant medical records of the deceased which may be with the hospital authorities, when the deceased was taken to the hospital at the time of his arrest, while deciding the issue.

Mr. Chatterjee, learned advocate for the private respondents, raises the point of alternative remedy of the petitioner before the learned Magistrate under Section 156(3) of the Cr.P.C.

Such question need not be decided as this court has not expressed any opinion with regard to the allegations of the petitioner and has left all issues to be considered by the police.

There shall be no order as to costs.

Parties are to act on the server copy of this order.

**(Shampa Sarkar, J.)**