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13.04.2022
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**Calcutta High Court
In the Circuit Bench at Jalpaiguri
Appellate Jurisdiction**

W.P.A 710 of 2022

**Satender Suhag
-versus
The State of West Bengal and others**

Mr. Sayan De
Ms. Esha Acharya
...For the Petitioner.

Mr. Subir Kumar Saha
Ms. Bedashruti Bose
...For the State.

The petitioner prays for removal of the respondent no. 5 in relation to the investigation of the petitioner pursuant to an order passed by a coordinate Bench on 23rd December, 2021. By the said order, the petitioner was granted anticipatory bail and was directed to meet the Investigating Officer once every week until further orders and was also directed to cooperate with the investigation.

Learned counsel appearing for the petitioner submits that the petitioner is being unduly harassed by the respondent no. 5 who is the Investigating Officer.

Counsel submits that the petitioner is a resident of Bagdogra and has to travel more than 3

hours to meet the I.O. at Rangli-Rangliot. It is submitted that the petitioner is asked to wait for 3 to 4 hours and called without notice. This causes great inconvenience to the petitioner since the petitioner is an Air-force Officer stationed in the Bagdogra Air-force Station.

Learned counsel appearing for the State submits that directions may be given for the manner in which the investigation is to be proceeded with.

After hearing learned counsel, this court is of the view that the order of the learned Single Judge has to be complied with by both the parties without any unnecessary harassment being caused to the petitioner.

After getting suggestions from the counsel representing the parties, this court deems it fit to direct that the petitioner shall make himself available for investigation once every week, as directed by the coordinate Bench, from 12 pm to 2 pm before the I.O.

The petitioner shall be given 48 hours notice for the date on which he has to be available for the investigation and the petitioner shall not be made to wait before or after the investigation.

Since the investigation started from November, 2021 and no progress admittedly has been made in

the said investigation till date, the investigation is directed to be completed within one month from date. Any investigation which outlives its purpose is liable to cause unnecessary harassment to the party in question and should be avoided for the ends of justice.

W.P.A. 710 of 2022 is disposed of in terms of the above.

(Moushumi Bhattacharya, J.)