

05-06-2023
ct no. 13
Sl. 14
pk

WPA 3693 of 2023

Dr. Sajjad Hossain
-Versus-

The State of West Bengal & Ors.

Mr. Phiroze Edulji
Ms. Juin Dutta Chakraborty
Mr. Debashis Kundu
... for the petitioner

Mr. Asim Kr. Ganguly
Mr. Subrata Dasgupta
... for the State.

Mr. Mayukh Mukherjee
Mr. Koustav Lal Mukherjee
Mr. Sarthak Mondal
... for the private respondents

1. The petitioner is aggrieved by Nakashipara Police Station Case No. 461 of 2022 dated 17.06.2022.
2. The petitioner's allegation is that since after the statement of one Nupur Sharma, his dispensary and medical facility at Bethuadahari Hospital Road have been ransacked by the private respondents.
3. The private respondents have surrendered and have obtained regular bail.
4. The petitioner applied for cancellation of the said bail.
5. The report of the police indicates that as many as five FIRs being FIR Nos. 448 of 2022,

449 of 2022, 450 of 2022, 451 of 2022 and 461 of 2022 have been registered by the police between 12.06.2022 and 17.06.2022 under various sections. The police have made certain seizures.

6. The DVR of the video footage submitted by the petitioner and pen drive may be seized by the I.O. The petitioner may certify the same under Section 65B of the IT Act.

7. It is ordered that the S.P., Nadia shall nominate an experienced officer of the rank of DSP for investigation. The I.O. shall be entitled to add additional sections into the FIR, particularly, FIR No. 461 of 2022.

8. Let the investigation into the subject FIR be completed within a period of 2 months from date.

9. The petitioner's statement under Section 164 of the Cr. P.C. has not been recorded till now. The police, however, submits that several requests were made to the petitioner to submit his statement which has not been done till now.

10. In the backdrop of the facts, the petitioner shall visit the I.O. at Nakashipara Police Station on Wednesday (07.06.2023) at 2 p.m. His statement under Section 164 of the Cr. P.C. shall be recorded.

11. Investigation shall closely be monitored by the DSP concerned.

12. Final report in the matter shall be countersigned by the DSP.

13. The report of the Nakashipara Police Station dated 09.05.2023 is kept with the record.

14. The instant writ petition is thus disposed of.

15. There shall be no order as to costs.

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

(Rajasekhar Mantha, J.)