

18. 05.01.2023
Ct. No.13
Tanmoy

WPA 20403 of 2022

Barnali Bag Ghosh
-Versus-
The State of West Bengal & Ors.

Mr. Soumyajit Das Mahapatra, Adv.

...for the petitioner.

Mr. Amitesh Banerjee, Ld. Sr. St. Counsel,
Mr. Subhabrata Dutta, Adv.

...for the State.

The Director General & Inspector General of Police, West Bengal has filed a report as directed on November 16, 2022. The report is dated December 2, 2022. The Director General has stated that the Superintendent of Police, Paschim Medinipur has been advised to remain more careful in future and exercise closer personal supervision in all cases reported to his office.

While it is true that the Director General & Inspector General of Police is best placed to determine the acts or omissions in the chain of command of the Police in the district level, this Court cannot be oblivious to the responsibility cast upon the Superintendent of Police under Section 154(3) of the Code of Criminal Procedure, 1973.

It is submitted by Mr. Mahapatra, learned Counsel for the petitioner, that similar lapses have been found against the Superintendent of Police, Paschim Medinipur

in other proceedings as well that are pending before this Court.

In the above circumstances, this Court directs that the advice issued to the Superintendent of Police, Paschim Medinipur shall stand converted to a warning and shall be entered into service records of the S.P.

It is also ordered that the Director General of Police, West Bengal shall issue strict instructions, non-compliance whereof would lead to automatic disciplinary action, to all Superintendents and Commissioners of Police in the State to ensure immediate and prompt action against the complaints disclosing cognizable offences in the State.

The signatures of each of the Superintendents and Commissioners of Police shall be obtained by the Director General of Police on such instructions and/or orders.

It is submitted by learned Counsel for the parties that the CID, West Bengal has since filed charge-sheet. In the matter, it is expected that the charge-sheet is put to committal as expeditiously as possible and the trial commences.

The writ petition shall stand disposed of.

(Rajasekhar Mantha, J.)