

16-02-2023
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WPA 23207 of 2022
With
CAN 1 of 2023
Mehejan Bibi Mondal
-Versus-

State of West Bengal & Ors.

With
WPA 27643 of 2022
Ramij Raja Mondal
-Versus-

State of West Bengal & Ors.

Mr. Sabyasachi Chatterjee,
Mr. Omar Faruk Gazi,
Mr. Badrul Karim,
Mr. Kiran Sk.

....for the petitioners

It is submitted by Mr. Sabyasachi Chatterjee, learned counsel appearing for the petitioner that the four FIRs being Thanarpara Police Station Case Nos. 232 of 2022, 196 of 2022, 215 of 2022 and 216 of 2022, have been registered for collateral purposes.

The Officer-in-Charge, Thanarpara Police Station, Nadia, vehemently opposes the submissions of Mr. Chatterjee.

It is submitted that the petitioners are not cooperating in the investigation. In some cases, the petitioners are not even opening their doors.

Having heard the learned counsel for the parties, this Court directs that the petitioners and all the accused in the FIRs shall cooperate in the

investigation. Subject to their cooperation, no coercive measures shall be taken against them.

The accused shall be interrogated for not more than 2 hours on any two days of the week with prior notice.

If any of the petitioners are found not participating in the investigation, the Thanarpara Police Station shall be entitled to apply for warrant of arrest.

However, if the accused participated in the investigation, the orders passed under Section 82 of the Cr. P.C., need not be enforced.

In so far as the issue of making entries in the G.D. Book on the reverse of the numbered page, the D.G. of Police, West Bengal shall prescribe and put in place appropriate direction, particularly, in the light of the Regulation 377 of the Police Regulation of Bengal. Due consultation shall be made with the Ministry of Home Affairs of the State.

The concern of the police, of lengthy entries, which may require additional pages, will have to be balanced with the regulations themselves and also the concern of the citizens that entries may be interpolated subsequently.

The D.G. of Police shall continue to ensure that regular reports are received from the S.P. of the District, as regards the functioning of all the CCTV cameras in the Police Stations.

With the aforesaid observations, both the writ petitions along with CAN applications shall stand disposed of.

There shall be no order as to costs.

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

(Rajasekhar Mantha, J.)