

25.11.2024
Item No.28
Ct. No.35
dc.

W.P.A. 6163 of 2024

Sharadindu Patra
versus
The State of West Bengal & Ors.

Mr. Pawan Kumar Gupta,
Ms. Sofia Nesar,
Mr. Santanu Sett ... For the Petitioner.

Mr. Rajarshi Basu,
Mr. Ananda Dulal Sarkar ... For the State.

Affidavit-of-service filed in Court today be kept with the record.

Report submitted by the learned advocate appearing for the State be also kept with the record. A copy of the report be handed over to the learned advocate appearing for the petitioner.

In view of the provisions of Section 398 of BNSS and the previous scheme approved by the Central Government being Witness Protection Scheme, 2018, the Commissioner of Police, Howrah will analyse the threat perception of the petitioner under the said Scheme which has been passed pursuant to the judgement of the Hon'ble Supreme Court in ***Mahendra Chawla and others Vs. Union of India and others*** reported in (2019) 14 SCC 615.

On an assessment of threat perception of the petitioner, the Commissioner of Police will forward a report to the Special Court or he can himself take a decision as the petitioner happens to be a witness in the case. Consequently the Commissioner would decide and take necessary steps as has been

elaborated under the Scheme which he deems fit and proper after exercising his jurisdiction.

With the aforesaid observations, the writ petition being WPA 6163 of 2024 is disposed of.

There shall be no order as to costs.

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

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)