

29.07.2024
Sl.01(supple).
Suman
Ct.No.15

WPA 15977 of 2024
Swapan Kumar Chakraborty
Vs.
The State of West Bengal and Ors.

Mr. Sakya Sen, Sr. Adv.
Mr. Surya Sarathi Basu
Mr. Rahul Banerjee
..for the petitioner

Let the supplementary affidavit filed by the petitioner be kept with the records.

It is an admitted position that the petitioner is aged about 67 years.

I am of the view that the impugned notice under Section 160 of the Code of Criminal Procedure, 1973 issued by the Officer-in-Charge, Special Juvenile Police Unit, Detective Department, 18, Lalbazar Street, Kolkata-700001 requiring the petitioner's personal appearance before the said officer is not sustainable in view of the proviso to Section 160 of the Code of Criminal Procedure, 1973.

Accordingly, the notices dated June 1, 2024 and July 26, 2024 are set aside.

This will not prevent the police from proceeding with the case in accordance with law.

Accordingly, **WPA 15977 of 2024** is disposed of.

Urgent photostat certified copy of this order, if applied for, be supplied to the learned advocates for the parties on usual undertakings.

(Kausik Chanda, J.)