

27.09.2024
Sl. No. 53
g.b.
Court No.07

W.P.A. 22192 of 2024

Saikat Maity
-Vs-
The State of W. B. & Ors.

Mr. Arnab Das
Mr. Akansha Yadav
Syeda Ramana Sultan
.....For the Petitioner
Mr. Amitesh Banerjee
Mr. Akash Dutta
.....For the State

The petitioner alleges that the police authorities have not taken any effective steps excepting registration of an FIR being Techno City Police Station Case no. 61 of 2024 dated April 22, 2024.

Learned advocate appearing for the State files a report of the Inspector-in-charge, Techno City Police Station dated September 8, 2024, which is taken on record.

From the said report it appears that after completion of investigation, Techno City PS charge sheet no. 119 of 2024 dated 30.07.2024 has been submitted against the FIR named accused person, namely, Ayananta Chowdhury. Since the charge sheet has been filed, it will be open to the petitioner to take appropriate steps before the jurisdictional court.

The learned advocate appearing for the petitioner further submits that the private respondent herein obtained an anticipatory bail and is constantly threatening the petitioner of dire consequences. The petitioner claims to have made several representations before the police authorities praying for necessary police protection but such authorities have not taken any step in this regard.

The learned advocate appearing for the petitioner prays for leave to file a comprehensive representation before the competent authority praying for necessary police protection as there is severe threat perception to the life of the petitioner and his family members.

Such leave is granted.

In the event, the petitioner files a comprehensive representation before the competent authority, such authority shall make an enquiry as to the threat perception and upon such enquiry the competent authority shall take a decision in accordance with law and communicate the same to the petitioner within a period of two weeks from the date of receipt of the representation permitted to be submitted by the petitioner in terms of this order.

The learned advocate for the petitioner further submits that the investigation carried out by the concerned Investigating Officer was not transparent and impartial. He submits that disciplinary enquiry is to be initiated against the said Investigating Officer. It is only for the appropriate authority to decide as to whether a disciplinary enquiry is to be initiated against the police official.

It will be open to the petitioner to make a representation pointing out the reasons as to why according to him the investigation was not a transparent and impartial one.

With the above observation and direction the writ petition stands disposed of.

There shall be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties after completion of all necessary formalities.

(Hiranmay Bhattacharyya, J.)