

02.12.2024
Sl. No.75
Ct No. 35
SG

WPA 23779 of 2024

Dharbindar Mahato & Anr.

Vs

State of West Bengal & Ors.

Mr. Srijib Chakraborty.

...for the petitioner

Mr. Suman Ghosh,

Mr. Siddhartha Ghosh.

...for the State

Learned Advocate for the petitioner is aggrieved by the fact that the investigating authorities are not effectively investigating in Ekbalpore P.S. Case No. 291 dated 22.07.24.

Learned Advocate for the State has submitted a report which reflects that initially case was registered under Section 118(1)/3(5) BNS. Subsequently, with progress of investigation materials were collected and there were addition of Section 118(2)/109 of BNS.

It is contended a strict vigil is being maintained by the police authorities. However, Mr. Chakraborty for the petitioner submits that some of the accused persons are roaming in the area and are threatening the petitioner.

Having considered the plight expressed by the petitioner, I direct that the superior officer of police more particularly the Deputy Commissioner who is in-charge of Ekbalpore Police Station will assist regarding

the threat perception of the present petitioner, prepare a threat analysis report and submit the same before the jurisdictional court. The Deputy Commissioner will be at liberty to take such appropriate measures as is prescribed under the provisions of the Witness Protection Scheme, 2018.

So far as the merits of the case is concerned, I direct that the Deputy Commissioner of Police, being the superior officer concerned, before submission of charge sheet in connection with Ekbalpore P.S. Case No. 291 dated 22.07.24 would peruse the same and if required give his remarks. Superior officer will also be entitled to advise the investigating officer in case it requires any amendment or a particular way of proceeding with the investigation of the case.

With the aforesaid observations, the writ petition being WPA 23779 of 2024 is disposed of.

Reports are submitted be kept with the record.

A Copy of the report be handed over to the learned Advocate appearing for the parties.

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.)