

Sl.No.
5 22.11.2024
Court
No. 35
G.S.Das

WPA 23960 of 2024

XXX
-Vs-
The State of West Bengal & Ors.

Mr. Moyukh Mukherjee
Ms. Puja Sonkar
... for the Petitioner

Mr. Shibaji Kumar Das
Ms. Deblina De
.... For the respondent no.8

Mr. Suman Sengupta, Sr. Govt. Adv.
... for the State-respondent
Mr. Mrityunjay Chatterjee
Mr. Debapriya Majumder
Ms. Suchismita Chakraborty
Mr. Arindam Pal
... for the respondent

The petitioner earlier was harassed
by the accused persons and other
unknown people pursuant to which
Nischinda P.S. FIR No. 48 of 2024 dated
03.05.2024 under Sections
354A/354D/506/507/509 of the IPC and
Section 67 of the IT Act & Section 3 of
Indecent Representation of Women
(Prohibition) Act, 1986 along with the

relevant provisions of the Immoral Trafficking (Prevention), Act 1956, was registered for investigation.

After completion of investigation, the police authorities submitted charge-sheet before the learned jurisdictional court.

Learned advocate appearing for the petitioner, is presently, aggrieved by the fact that pursuant to the accused persons being granted bail, there has been again indecent *Facebook* post and also unknown missed calls with indecent proposals.

It is also complained that in spite of the case pending, there has been persuasion to vilify the petitioner at the instance of certain persons which may be the accused and/or others.

The police authorities have

registered a second case being Nischinda P.S. 141 of 2024 dated 24.10.2024 under sections 75(2)/79/356(2)/3(5) of the BNS and commenced investigation.

In view of the second case, which has been registered very recently for the accused persons who have shown their courage to repeat the offence in spite of the charge-sheet being submitted in the first case, I am of the opinion that the core of the issue and the depth to which the investigation needs to be carried out, may not be possible with the existing infrastructure of the local police station within the jurisdiction of the Howrah City Police.

Having regard to the same, I direct the investigation of Nischinda P.S. Case No. 141 of 2024 dated 24.10.2024 to be transferred to the Cyber Crime Police Station, Lalbazar, Calcutta.

Let, the present investigating agency transfer the records of the above mentioned case to the Cyber Crime Police Station, Lalbazar Calcutta.

However, so far as the protection of the petitioner is concerned, it has been contended in the report that one lady police constable has been deployed by the concerned police station. The name of the lady police personnel is Salma Khatun having identified number LC3202. The concerned lady constable will communicate with the petitioner over phone, according to the requirement of the petitioner, regarding her safety and security within the jurisdiction of Nischinda P.S..

If there are any social media objectionable post(s) existing, which could not be blocked and/or are being uploaded, the Cyber Crime Police Station, Calcutta would take steps for removing and/or

blocking the same and include within its ambit as a part of the investigation.

Mr. Chatterjee, Id. advocate, appears for the respondent no.7.

Mr. Das, learned advocate, appears for the respondent no.8.

With the aforesaid observations, WPA 23960 of 2024 is disposed of.

Report so submitted be kept with the record.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

(Tirthankar Ghosh, J.)