

26.11.2024
Item No.13
Ct. No.35
dc.

W.P.A. 27084 of 2024

**Sonali Majumdar
versus
The State of West Bengal & Ors.**

Mr. Uday Sankar Chattopadhyay,
Ms. Rajashree Tah,
Ms. Trisha Rakshit,
Ms. Aishwarya Datta,
Ms. Bidisha Chakraborty ... For the Petitioner.

Mr. Amitesh Banerjee, Sr. Standing Counsel
... For the State.

Mr. Subrata Bhattacharyya,
Ms. Shipra Santra,
Mr. Benazir Sheikh ... For the Respondent No. 9.

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.

The petitioner is aggrieved by the act and
actions of the respondents particularly her
allegations are that she has been installing CCTV
camera and the same is repeatedly damaged by the
private respondent no.9. Learned advocate for the
petitioner submits that the private respondent no.9
is powerful and he is trying to jeopardize the life
and liberty of the present petitioner.

Learned advocate appearing for the private
respondent no.9 disputes and denies such
contentions of the petitioner.

Mr. Banerjee, learned senior standing
counsel appearing for the State has submitted a
report which reflects that number of cases has been

registered. I find that one of the cases being Burdwan P.S. Case No. 1109/2023 was registered for investigation on 29.08.2023 which includes offences amongst others Section 307 and Section 354B of the Indian Penal Code which has resulted in charge-sheet.

Having considered the same, I am of the opinion that if till date under Section 398 of the BNSS there is no witness protection scheme brought into effect by the State of West Bengal, in that case the directions of the Hon'ble Supreme Court in the case of ***Mahendra Chawla and others Vs. Union of India and others*** reported in (2019) 14 SCC 615 be adhered to and under the Scheme as has been stated, a superior officer of police in the rank of SDPO/DSP/Additional SP will analyse the threat perception of the present petitioner and accordingly take steps in accordance with the guidelines laid down under the Witness Protection Scheme, 2018.

With the aforesaid observations, the writ petition being WPA 27084 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.)