

D/L 10
21.11.2024
Kausik
ct.no.35

W.P.A. 27142 of 2024

**Sattar Haldar
Versus
The State of West Bengal & Ors.**

Mr. Prabir Adhya
Ms. Madhumanti Chakraborty

...for the petitioner.

Mr. Wasim Ahmed
Mr. Md. Shehabuddin

...for the state.

Petitioner is aggrieved by the fact that Chanditala Police Station Case No. 825/24 dated 19.10.2024 was registered for investigation under section 103(1)/61(2) of the BNS, 2023.

According to the petitioner the accused persons are threatening and are instilling a fear within the complainant who is the petitioner before this court and who has set the law into motion for murder of his brother.

Mr. Ahmed learned advocate appearing on behalf of the state has submitted a report. Report reflects that the police authorities have already registered Chanditala P.S. N.C.R. No. 2238/24 dated 16.11.2024 under sections 126/135 of BNSS, 2023.

I direct that since a proceeding under section 126 of BNSS has been suo motu drawn up by the police authorities, it would be the duty of the Officer-in-Charge, Chanditala Police Station to ensure that the petitioner who has set the criminal law into motion, is no way harmed. So far as the criminal case is concerned, directions be passed upon the investigating officer that if any accused or suspect is wanted in connection with the case and he is creating unnecessary instances of threatening and/or taking the law and order in his own hand, thereby hurting the confidence of the complainant, in that case, the investigating officer will not deter to exhaust the harsher process of law.

Since the investigation of Chanditala Police Station has commenced under the provisions of section 103(1) of the BNS, a superior officer of the police would ensure that the investigation is carried out efficiently and the same progresses towards a logical conclusion.

With the aforesaid observations WPA 27142 of 2024 is disposed of.

Report so submitted be kept with the record.

A copy of the report be handed over to the learned advocate appearing for the petitioner.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Tirthankar Ghosh, J.)