

25.06.2024
Ct. No. 14
Sl. No.9
KB

**In The High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A. 28767 of 2024

**Biswajit Sarkar
Vs.
The State of West Bengal & Ors.**

Ms. Susmita Saha Dutta
Mr. Niladri Saha
Mr. Asim Hati
Ms. Sreetama Neogi
Ms. Madhurima Basu
Mr. Antariksha Karmakar
... For the petitioner.

Mr. Sirsanya Bandopadhyay, Ld. Jr. Sanding
Counsel
Mr. Ritesh Kumar Ganguly
... For the State.

Mr. Avik Ghatak
... For the Respondent nos.6-10.

Exception filed by the petitioner to the report
filed by the Assistant Commissioner of Police, Kult
Police Station is taken on record.

Copy of the same served upon the learned
advocate appearing on behalf of the State
respondents.

In the exception the petitioner has annexed a
communication dated 24th May, 2024 written by him

to the Commissioner of Police, Asansol Durgapur Police Commissionerate.

The petitioner has expressed the manner in which Neamatpur Police Station refused to accept the further complaint sought to be lodged by the petitioner. The petitioner apprehends threat at the hands of the private respondents.

Prayer has been made to get the complaint investigated by any other officer other than the officers of Neamatpur Police Station.

Learned Advocate representing the State respondent submits that the complaint of the petitioner has duly been taken into consideration. Police patrolling as per the direction of the Court is continuing.

It has been submitted that the prayers made by the petitioner in Court today are neither in the communication made by the petitioner to the Commissioner of Police nor in the prayers made in the writ petition.

The petitioner has submitted before this Court that he has lost faith on the officers of Neamatpur Police Station in conducting fair investigation of this case.

Law demands that justice should not only be done but should also be seen to be done. To instill

faith and confidence of the general public as regards investigation of complaints in the hands of the police, the Court thinks it fit to direct the Commissioner of Police, Asansol Durgapur Police Commissionerate to get the complaint investigated by a competent police officer not below the rank of ACP and take positive steps to conclude the investigation in accordance with law at the earliest.

The police should continue with the patrolling for the period the Commissioner of Police deems it fit and proper.

The writ petition stands disposed of.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Amrita Sinha, J.)