

14.06.2024
Sl. No.23(DL)
srm

**IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI
APPELLATE SIDE**

W.P.A. No. 1087 of 2024

Sri Lalit Roy

Versus

The State of West Bengal & Ors.

Mr. Subhasish Ghosh

...for the Petitioner.

Ms. Bedashruti Bose,
Mr. Kumar Shantanu

...for the State-respondents.

1. The petitioner is an accused in an investigation under Section 307 of the Indian Penal Code. The petitioner has approached this Court with a grievance that the police authorities, in the garb of investigation, has been harassing his wife and forcing his wife to make statements. The wife has been harassed in the late hours of the night. A complaint to that extent was also lodged before the Officer-in-Charge, Ashigar Out Post under Bhaktinagar Police Station, Jalpaiguri.
2. The learned Advocate for the State-respondents submits that instructions are awaited. It is further submitted that the petitioner has intentionally suppressed the fact that he is a prime accused in an investigation. The police

authorities did not have any intention to harass the wife but had visited the house to arrest the petitioner. The petitioner is absconding. The writ petition has been filed only to stall the investigation.

3. Having heard learned Advocates for the respective parties, this Court directs that the investigation of the cases registered against the petitioner shall continue in accordance with law. The police authorities will be at liberty to take such steps as permissible by law, but the police authorities shall ensure that the wife of the accused shall not be unnecessarily harassed or forced to give any statement. In the usual course of investigation, if any statement is required to be recorded, the same shall be done by a lady police officer and raids, etc. should not be conducted at the late hours of the night, unless the police authorities have specific intelligence that the accused may be in the house. Lady police force shall accompany the team during the investigation and raids. The petitioner's wife will also cooperate.
4. It is made clear that no harm shall be caused to the petitioner's wife, as she is expecting.
5. The writ petition is, thus, disposed of.
6. There shall be no order as to costs.

7. Parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)