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27.09.2024
d.p.

**Calcutta High Court
In the Circuit Bench at Jalpaiguri
Appellate Jurisdiction**

W.P.A 1341 of 2024

**Ranjeet Barman
-versus
The State of West Bengal & Ors.**

**Mr. Subhasish Misra.
...For the Petitioner.**

**Ms. Bedashruti Bose,
Mr. Bikash Singha.
...For the State.**

The petitioner is aggrieved by the manner in which the investigation of Kotwali PS UD Case No. 456/2023 dated 10th October, 2023 and Pundibari PS Case No. 718/2023 dated 10th October, 2023 under Sections 279/304A IPC is being proceeded with.

Specific case of the petitioner is that his brother, the victim, was murdered but the police is trying to establish a case of accidental death.

The petitioner points finger towards the victim's wife and her friends.

The persons against whom allegations have been made are impleaded as private respondents in the instant writ petition.

As the petitioner has expressed his dissatisfaction in the manner in which the investigation is proceeding, accordingly, to restore faith of the complainant in the investigation, the Court thinks it

appropriate to direct the investigation to be carried on by a superior officer not below the rank of the Deputy Superintendent of Police.

The Investigating Officer shall be appointed by the Superintendent of Police, Cooch Behar at the earliest. The officer to be appointed shall conduct the investigation from scratch and not rely upon the report of the earlier Investigating Officer and try to conclude the investigation without any delay.

The progress of the investigation shall be intimated to the petitioner periodically.

The report forwarded by the Officer-in-charge, Pundibari Police Station, Cooch Behar dated 4th September, 2024 is taken on record.

The writ petition stands disposed of.

Urgent certified photo copy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)