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jdt. 15.12.2025
jb.

WPA 190 of 2024
(Dr. Rajeev Ranjan & Anr. vs. State of West Bengal & Ors.)

Mr. Debashis Banerjee
Mr. Sabyasachi Chatterjee
Imtiaz Ahmed
Ms. Mehele Chattopadhyay
Mr. Rakesh Jana

.... For the Petitioners

Mr. Suman Ghosh
Mr. Tarak Karan

.... For the State

Supplementary affidavit filed by the petitioners is taken on record.

The case diary is produced.

It appears that on receipt of complaint from the Dean of Students' Affairs, R. G. Kar Medical College, Kolkata, the police authority registered FIR and started investigation. The complaint stated that two of the doctors (the petitioners herein) produced some documents for State PG NEET, 2022 which seemed to be forged and fake. The matter was investigated and finally FRT submitted as 'mistake of facts'. The petitioners complain that due to such proceeding being initiated against them, they have lost two years of their career. Also, though the offences alleged carry punishment below 7 years, no notice under Section 41 A of the Code of Criminal Procedure (at present 35(3) of the BNSS) was issued upon them. They were arrested directly from the R. G. Kar Medical College and Hospital. This amounts to violation of the direction of the Hon'ble Supreme Court in the authority in ***Arnesh Kumar vs. State of Bihar*** reported in ***AIR 2014 Supreme Court, 2756.***

The petitioners are at liberty to take necessary steps before the appropriate forum for redressal of both their grievances. Since the investigation has culminated in submission of FRT, nothing further remains to be adjudicated in the application.

The writ petition is accordingly disposed of.

There shall be no order as to costs.

Since no affidavit has been invited, allegations contained in the writ petition shall be deemed not to have been admitted.

Urgent certified website copy of the order, if applied for, be given to the parties on compliance of requisite formalities.

(Suvra Ghosh, J.)