

13 20.01.2025

No. 35

WPA 534 of 2025

-Vs-

The State of West Bengal & Ors.

Mr. Md. Muslehuddin

... for the Petitioner(s)

Mr. Tarak Karan

... for the State Respondent(s)

The petitioner is aggrieved by the mode and manner of progress of investigation of Raghunathganj P.S. Case No. 1617 of 2024 dated 16.12.2024, which was registered under Section 108 of the BNS.

Learned advocate submits that the police authorities have not incorporated appropriate Section under Section 107 of the BNS; neither recorded any statement under Section 183 of the BNSS nor did any search and seizure take place.

So far as the first issue is concerned, learned advocate for the State has submitted a report, which reflects that a prayer has already been advanced before the learned jurisdictional Court for addition of Section 107 of BNS.

So far as the subsequent prayers are concerned relating to recording of statement under Section 183 of the BNSS as well as search and seizure, the same are the exclusive domain of the investigating authority, this Court will not direct on the mode and manner of investigation and/or the steps to be taken by the investigating agency in course of investigation.

However, in all fairness, the police authorities/investigating authorities, if required, would communicate with the informant and try to redress the grievances of the petitioner.

With the aforesaid observations,
WPA 534 of 2025 is disposed of.

Pending application(s), if any, is
also disposed of.

Report so submitted be kept with
the record. Let a copy of the report be
handed over to the learned advocate for
the petitioner.

Parties to act on a server copy of
this order duly collected from the official
website of the Hon'ble High Court, Calcutta.

(Tirthankar Ghosh, J.)