

29.01.2025
Item No.171
Ct. No.35
dc.

W.P.A. 560 of 2025

XYZ
versus
The State of West Bengal & Ors.

Mr. Sabyasachi Chatterjee,
Mr. Subhrajit Saha,
Mr. Badrul Karim,
Mr. Omar Farooq Gazi,
Ms. Monalisha Sinha ... For the Petitioner.

Mr. Kishore Datta, Ld. Adv. General,
Mr. Swapan Banerjee, Ld. AGP,
Ms. Sumita Shaw,
Mr. Soumen Chatterjee,
Mr. Debangshu Dinda ... For the State.

While perusing the case diary on 27.01.2025, this Court expressed its dissatisfaction when the learned Advocate General submitted that he would produce the list of officers who would conduct and supervise the investigation of the present case being Sandeshkhali Police Station Case No. 238/2024 dated 16.05.2024. A list of officers have been handed over by the learned Advocate General.

Considering the location of the place of occurrence, I direct that Mr. Rahul Mishra, IPS and SDPO, Baduria, Basirhat Police District will be a member of SIT along with Mr. Bireswar Chatterjee, Assistant Commissioner of Police, Homicide Section, Detective Department, Lalbazar. The two senior officers would choose a team of Inspectors and Sub-Inspectors according to their choice for conducting investigation of the case.

Already there has been delay in the case. Accordingly, the records of Sandeshkhali Police Station Case No. 238/2024 dated 16.05.2024 which are available with the present investigating officer be transmitted to Mr. Bireswar Chatterjee, Assistant Commissioner of Police, Homicide Section, Detective Department, Lalbazar who would coordinate with Mr. Rahul Mishra, IPS regarding formulation of the team of officers and logistics and support required from the concerned district and the department.

A progress report be submitted by the said SIT so constituted once in a month to the learned ACJM, Basirhat. The present investigation team will put in efforts as there has already been delay, collect materials if required send the samples collected or samples required to be collected to the forensic experts and apply their mind so that effectively the investigation of the case can be taken to its logical conclusion.

Needless to state that this Court has not gone into the merits of the allegations. It would be at the appropriate stage for the court to consider, if the situations so arise.

In case the district administration decides to withdraw the protection given to the petitioner, the district administration will inform the learned ACJM, Basirhat prior to withdrawal of the same.

With the aforesaid observations, the writ petition being WPA 560 of 2025 is disposed of.

There will be no order as to costs.

All concerned parties shall act on the server copy of this order duly downloaded from the official *website* of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)