

Sl.No. 12.02.2025
I
Court No. 35
G.S.Das

WPA 667 of 2025

Monirul Molla
-Vs-
The State of West Bengal & Ors.

Mr. Moyukh Mukherjee
Ms. Sarmistha Basak
... for the petitioner(s)

Mr. Kishore Datta, Id. AG
Mr. Santanu Kumar Mitra, Id. Sr. Govt. Adv.
Mr. Amartya Pal
... for the State-respondent(s)
Mr. Phiroze Edulji, Id. Sr. Adv.
Ms. Priyanka Bhattacharyya
Ms. Anuradha Das
Ms. Manisha Deb Das
... for the respondent no. 7

The petitioner has approached this Court as he has been threatened by the respondent no.7. The petitioner claims that such threat was because of the fact that he is a witness in connection with Bijoygunge Bazar P.S. Case No. 23/24 dated 06.02.2024 which has been registered for investigation under the relevant provisions of the IPC, PDPP Act, Arms Act, Explosive Substances Act and Maintenance of Public Order Act.

It has been claimed that the

respondent no.7 after being granted bail has conducted himself in a manner which calls for interference with his liberty, and, as such, there should be interference by this Court.

However, I find from the writ petition that the same was filed with the prayers for free and fare investigation and for protection to the petitioner.

State has submitted a report which reflects that so far as the Bijoygunge Bazar P.S. Case No. 23/24 dated 06.02.2024 is concerned, the concerned police authorities have submitted charge-sheet before the jurisdictional Court.

So far as the accusations regarding threat are concerned, the police authorities have taken steps by drawing up a proceeding under Section 126 of the BNSS.

Since the petitioner is a witness, if he feels insecure, he would apply

before the learned Magistrate or the learned Trial Court *in seisin* of the matter for protection under the Witness Protection Scheme, 2018. The learned Magistrate/the Trial Court would assess regarding the threat perception of the petitioner by calling for a report from the local police station or the investigating officer of the case.

In case, it is found that the threat perception of the petitioner is such that it calls for interference by the trial court or the learned Magistrate, the learned Magistrate accordingly would pass necessary order(s) in accordance with the Scheme or the Judgment of the Hon'ble Supreme Court in *[(Mahender Chawla & Ors. -vs.- Union of India & Ors., reported in (2019) 14 SCC 615]*.

The police authorities would oversee the petitioner's apprehension being diluted.

With the aforesaid observations,
WPA 667 of 2025 is disposed of.

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

Needless to state that since
affidavits have not been invited, the
allegations made in the writ petition are
deemed not to have been admitted.

Report so submitted be kept with
the record.

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.)