

21.01.2025
Item No.59
Ct. No.35
Naba

W.P.A. 1454 of 2025

**Prabir Jana
versus
The State of West Bengal & Ors.**

Mr. Sauradeep Dutta,
Mr. Himadree Ghosh ... For the Petitioner.

Ms. Jhuma Chakraborty, Sr. Adv.,
Mr. S. Adak ... For the State.

Affidavit-of-service filed in Court today be kept
with the record.

Report submitted by the State today be also kept
with the record.

The petitioner is aggrieved both by the progress
of the investigation as well as the petitioner being
threatened and no steps being taken by the police
authorities in connection with Tarakeswar P.S. Case
No. 386 of 2024 dated 05.11.2024.

The State has submitted a report in respect of
the statements recorded under Sections 180 and 183 of
the BNSS as also regarding the documents which have
been collected in course of the investigation.

Learned advocate for the State submits only for
chemical analysis report, the Investigating Officer is
awaiting to submit the report under Section 193 of the
BNSS.

In view of the deceased having committed suicide
by way of hanging, the investigating agency will
consider as to whether delaying submission of the
report under Section 193 BNSS is required for receiving
the *viscera* report or the chemical analysis report.

The same may be filed by way of a supplementary charge-sheet, if so required.

So far as the other aspect regarding the representation of the petitioner addressed to the Officer-in-Charge, Tarakeswar Police Station dated 10.01.2025 is concerned, I find that police authorities have recorded GD entry and drawn up proceeding under Section 126/135(3) of BNSS.

Having regard to the provisions of Witness Protection Scheme, 2018, I direct that since the petitioner is a vital witness in the case, the jurisdictional magistrate still in *seisin* of the case would on an application of the petitioner call for a threat perception report and accordingly implement the provisions of Witness Protection Scheme, 2018.

With the aforesaid observation, the writ petition being WPA 1454 of 2025 is disposed of.

Pending connected application, if any, is consequently 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.)