

23.07.2025
Court No. 35
D/L. No.302
Rakib

W.P.A. 1876 of 2025

Dr. Pallavi Banerjee
VS
The State of West Bengal & Ors.

Mr. Jayanta Narayan Chatterjee, Sr. Adv,
Mr. Debashis Banerjee
Mr. Supreem Naskar
Ms. Jayashree Patra
Ms. Pritha Sinha
...for the Petitioner.

Mr. Swapan Banerjee, AGP,
Mr. Ahsanuz Zaman
Ms. Debangana Dey Nayak
Mr. Soumen Chatterjee
...for the State.

Learned advocate appearing for the petitioner has challenged the continuance of the Kotwali (Paschim Medinipur) Police Station case no. 20/2025 dated 16.01.2025. The petitioner is a doctor who has been rendering her services. Learned advocate submits that the petitioner had been sincere in her services and the accusations which are being made against the petitioner are wild allegations, when the main issue was regarding a particular saline which was found to be used had certain after effects upon the patients. Petitioner being a doctor is being foisted with the liability and nature of the accusations which have been bolstered up in the present case is bound to cause anxiety, agony and after effects on the professional career of the present petitioner. To that effect learned advocate has enclosed many documents.

However, learned advocate for the State has submitted a status report.

I have considered the same and having regard to the fact that the issues which have been canvassed by the present petitioner requires to be taken into account only after the investigating agency has arrived at their conclusion. At this stage it is no possible for this Court to adjudicate on the issue whether the petitioner is innocent, whether she was present at the operation theatre and whether the witnesses who have supported the prosecution case have stated correctly or incorrectly.

Consequently, so far as the whole of the investigation is concerned and the locus of the present petitioner in respect of the said investigation, I direct that the investigation of the case would continue.

Report also reflects that the petitioner has cooperated with the investigation and the nature of the charges being under Section 105 of the BNS do not attribute any willful act on the part of the present petitioner. Accordingly, petitioner would exhaust her remedies available under the law, the investigating agency will carry out the investigation and take the same to its logical conclusion.

With the aforesaid observations WPA 1876 of 2025 is disposed of.

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.)