

04.03.2025

Item No.132
Ct. No.35
dc.

W.P.A. 2146 of 2025

**Nirmal Kumar Paul @ Pal
versus
The State of West Bengal & Ors.**

Mr. Sumanta Das,
Mr. Sailesh Tripathi ... For the Petitioner.

Ms. Jhuma Chakraborty,
Ms. Munmun Tewary ... For the State.

Mr. Ujjal Ray ... For the Respondent No.7.

State has submitted the case diary.

I have perused the statements of the witnesses including the post-mortem report. The investigation of the case is in progress. Having regard to the steps taken by the investigating agency after the same having commenced on 24.12.2024, at this stage, I am not inclined to interfere with the process of investigation. The petitioner is aggrieved as some of the accused persons have not been arrested. It would be in the fitness of the circumstances for the investigating officer to take a decision as arrest is a prerogative of the investigating officer concerned according to the need of the investigation.

Having regard to the stage of the case, the petitioner, if he is aggrieved would approach the court at a subsequent stage after the investigation is completed by the investigating agency. At this stage, I do not find any scope for interference.

However, the police authorities would put in efforts and take the investigation of the case to its logical conclusion.

Learned advocate for the petitioner complains that he has been receiving threats.

In view of the aforesaid, if an appropriate application is filed before the learned Magistrate in seisin of the matter, the learned Magistrate will call for a threat perception report and pass necessary directions upon the police authorities to extend the provisions of Witness Protection Scheme, 2018.

With the aforesaid observations, the writ petition being WPA 2146 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.)