

11.03.2025
Court No. 35

Item No.7
Rakib

W.P.A. 4465 of 2025

Sanu Dutta.
VS
The State of West Bengal & Ors.

Mr. Anindya Halder,
Ms. Benajir Hasna,
Mr. Aliul Islam,
Mr. Sadid Halder.

... for the Petitioner.

Mr. Dipayan Datta, Sr. Adv.,
Mr. Subhajit Chowdhury.

... for the State.

Affidavit of service filed by the petitioner be kept
with the record.

Petitioner is aggrieved by the fact that the
investigating agency initially was reluctant to register a
case in respect of an accident which was a fall out of rash
and negligent driving. To that effect when information was
furnished, Baguiati Police Station case no. 37/25 dated
15.01.2025 was registered for investigation. The next
grievance of the petitioner is that the CCTV footage in
respect of the place of occurrence was needed. To that
effect the police authorities till date did not act. Further
the investigation has not been carried out in a proper
manner as till date the offending vehicle could not be
traced by the investigating agency.

State has submitted a report. According to the
report no CCTV footage is available. However, police
authorities are carrying out the investigation.

So far as the issue relating to CCTV footage of the area is concerned, petitioner would be at liberty to approach the Jurisdictional Magistrate who is in seisin of Baguiati PS Case no. 37/2025. It is definitely a concern that the police authorities till date could not trace out the offending vehicle, at least the report which has been submitted before the High Court do not reflect that.

In view of the aforesaid, I direct that the Deputy Commissioner of Police, in-charge of Baguiati Police Station will oversee the investigation of the case to trace out the offending vehicle involved in the rash and negligent driving (if any) which resulted in registration of Baguiati PS Case no. 37/25. The concerned Deputy Commissioner of Police would within a month from date submit a progress report before the learned Chief Judicial Magistrate, Barasat or the Jurisdictional Magistrate in seisin of Baguiati PS Case no. 37/25.

With the aforesaid observations WPA 4465 of 2025 is disposed of.

Report so submitted by the State be kept with the record.

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.)