

16.04.2025

CRR 1532 of 2025

Ct. No. 28

In the matter of:- Binod Kumar Singh

...petitioner

Mr. Pritam Majumdar,
Mr. Mainak Singha Barma.
...for the petitioner.

Mr. Debasish Roy Id.PP.,
Mr. Arijit Ganguly,
Ms. Mamata Jana.
...for the State.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is in no way acquainted with the facts regarding a murder that took place sometime ago in Naihati. Yet, a notice was sent to him by the police under Section 179 of the BNSS. He substantially complied with the same. But, another notice was sent to him to appear on 02.04.2025. Due to some exigent circumstances, the petitioner could not appear. However, the petitioner apprehends that such actions are being taken only to harass the petitioner at the instance of some politically influential persons.

Learned Public Prosecutor representing the State denies the allegations, relies on the case diary and submits as follows. There is a statement of the mother of the victim made before a Magistrate which claimed that the petitioner was very well acquainted to the alleged culprits. In spite of this, only a notice was sent under Section 179 of the BNSS. But, the petitioner did not comply with the same and only sent a written response by email.

This is a murder case and I do not find any reason to interfere with the investigation of the same.

The materials available in the case diary warrant that the petitioner responds to the notice.

The police, therefore, shall be at liberty to issue a further notice under Section 179 of the BNSS upon the petitioner asking him to comply with the same, but giving him sufficient time to do so.

However, considering the gravity of the allegations and to allay fears of a local pressure, let the investigation be conducted further by the Detective Department of the Barrackpore Commissionerate under the supervision of the Commissioner.

With these observations, the revisional application is disposed of.

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J.)