

Sl.No.

4

26.08.2025

Court  
No. 35

G.S.Das

## **WPA 17015 of 2025**

**Sukdeb Halder**

**-Vs-**

**The State of West Bengal & ors.**

Mr. Kingsuk Mondal

... for the Petitioner(s)

Mr. Ashim Ganguly

Mr. Amit Gupta

... for the State – respondent(s)

Affidavit-of-service so filed be kept  
with the record.

The petitioner alleges that one of  
his sons has been implicated in  
connection with Raghunathganj PS Case  
No. 834 of 2025 which has been  
registered for investigation under Sections  
61(2)/103(1)/3(5) of the BNS, 2023.

It has also been complained by  
the petitioner that his shop room has  
been affixed with a padlock and the  
younger son - who is a minor, has been  
assaulted by the investigating officer of  
the case as they are unable to trace out

the elder son.

State has submitted a report which reflects that the plea taken by the petitioner so far as the shop room being affixed with a padlock by the police authorities are concerned, it has been contended by the Inspector-in-charge of Raghunathganj Police Station that the shop room has been self-locked by the petitioner *himself* and, a tensed atmosphere is being created to implicate the police authorities falsely who are investigating the case to unearth the truth in connection with Raghunathganj PS Case No. 834 of 2025.

Learned advocate for the State has also drawn the attention of the court to different paragraphs where the allegations are against one Sub-Inspector of Police, namely, Sufal Halder to be the Investigating Officer of the case referred to above.

It has been emphatically denied by the learned advocate for the State that there is no police officer in the name of Sufal Halder and the investigation is being carried out by Mintu Sheikh, Sub-Inspector of Police.

The spirit of the report submitted by the police authorities is that for protecting the son, the father has adopted several means: one of such means is to harass the police authorities so that they do not carry out proper investigation.

Be that as it may, in view of the police authorities claiming that they have not affixed the padlock in the said shop room, the petitioner would be at liberty to break open the padlock to enter the grocery shop until and unless the padlock is affixed pursuant to an order from a court of law.

So far as the other allegations are concerned the petitioner, if he has

documents and/or materials in his custody, would approach the learned Magistrate under the relevant provisions of Section 175 of the BNSS, to substantiate the allegations of police torture. The learned Magistrate would, in such circumstances, conduct an enquiry and, thereafter, pass necessary directions as he/she deems fit and proper.

With the aforesaid observations, WPA 17015 of 2025 is disposed of.

Pending application(s), if any, is also disposed of.

Report so submitted be kept with the record.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

**(Tirthankar Ghosh, J.)**

