

D/L 28
12.08.2025
Bpg.
ct.no.35

W.P.A.17997 of 2025

**Sri Binod Kumar Chauhan Gathmann
Versus
The State of West Bengal & Ors.**

Ms. Anindita Addya (Das)
Mr. Pronojit Roy.
...for the petitioner.

Mr. Suman Sengupta
Mr. Uttam Kumar De.
...for the State-respondents.

Mr. Sujoy Sarkar
Ms. Sneha Srivastava
Ms. Debolina Goswami.
...for the respondent no.5.

Mr. Sabir Ahmed
Mr. Prasun Mukherjee
Mr. Subhamoy Dutta.
...for the respondent no.6.

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

Petitioner is aggrieved since a case being
Baguiati P.S. Case No.338 of 2025 dated 24.05.2025
was registered for investigation pursuant to directions
passed by the learned Magistrate under the relevant
provisions of Section 175(3) of the BNSS.

Learned advocate appearing for the petitioner
submits that the petitioner has co-operated with the
investigating agency but the investigating agency is
not sharing the details relating to the progress of the

investigation, as such, petitioner is suffering from agony and anxiety.

It has been further submitted that the petitioner is being threatened at the behest of some of the accused persons and to that effect, information was furnished to the police authorities but no steps have been taken. Petitioner has also expressed anxiety and agony so far as his family members are concerned because of the alleged overt acts at the behest of the accused persons. Petitioner has also alleged regarding the police officers for asking him to come to their home.

Learned advocate for the State has taken a preliminary objection regarding the affidavit as the petitioner on the one hand has identified himself to be a German citizen and on the other hand, NRI.

Learned advocate for the private respondents submits that the information which has been submitted to the Inspector-in-Charge of Baguiati P.S. contains phone number of persons who are accused in the criminal case.

Be that as it may, so far as the insecurity expressed by the petitioner is concerned, petitioner being the complainant and witness in the case, petitioner would approach the jurisdictional Magistrate under the relevant provisions of Witness

Protection Scheme, 2018. So far as the progress of the investigation is concerned, Section 193(9) of the BNSS provides that after 90 days from the date of commencement of the investigation, the progress of the investigation is to be shared with the de facto complainant or the person who has set the law into motion. Accordingly, police authorities would after the said period is over inform the petitioner regarding the progress of the investigation.

With the aforesaid observations, WPA 17997 of 2025 is disposed of.

There will be no order as to costs.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

Urgent photostat certified copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Tirthankar Ghosh, J.)