

Sl.No.

32

26.08.2025

Court
No. 35

G.S.Das

WPA 19600 of 2025

Md Irshad Hussain

-Vs-

The State of West Bengal & ors.

Mr. Fazlur Rahaman
Mr. S. R. Hossain
Mr. Subrata Mkherjee

... for the Petitioner(s)

Mr. Suman Sengupta, Sr Govt. Adv.
Mr. Tapas Ballav Mandal

... for the State – respondent(s)

Affidavit of service filed be kept
with the record.

The petitioner has approached this
court being aggrieved by the manner in
which the investigation of the case has
been progressing inspite of having suffered
with grievous injuries.

Learned advocate for the petitioner
has drawn the attention of this court to
the three cases being Entally Police
Station being Entally PS Case No. 250 of
2024; Entally PS Case No. 252 of 2024
and Entally PS Case No. 136 of 2025.

The petitioner complains that the progress of the investigation and the steps so taken by the investigating agency are not to the satisfaction and, to that effect, inspite of informing the authorities concerned, there has been hardly any effect, as such, being aggrieved, he approached this Court.

State has submitted a report which reflects that the investigation of Entally PS Case No. 250 dated 02.12.2024 has been concluded and charge-sheet has been submitted before the learned jurisdictional court. In respect of Entally PS Case No. 252 dated 05.12.2024, investigation commenced and on conclusion of the investigation, Final Report has been submitted as '*true*' for want of evidence before the learned jurisdictional court. However, in respect of Entally PS Case No. 136 dated 28.05.2025, the investigation of the case is under progress.

The report further speaks that a case has been registered against the petitioner being Entally PS Case No. 254 dated 06.12.2024 wherein notices were served under Section 35(3) of the BNSS which were complied with and the petitioner, according to the report, has already obtained bail from the court of the learned ACJM, Sealdah.

On perusal of the report submitted by the State, I find that there are constant disputes between the petitioner and the private respondents and, on occasions, same has transgressed the limit and resulted in bloodshed also. I also find that in all the cases, Sections which have been incorporated *prima facie* reflects that the cases are either for hurt and/or for grievous hurt.

So far as the case being Entally PS Case No. 136 dated 28.05.2025 is concerned, I direct the police authorities that in case they are unable to conclude

the investigation within the statutory period, they would sent a progress report to the defacto-complainant immediately after the said period is over.

The petitioner, if he is aggrieved by the progress of the investigation, will bring it to the notice of the learned ACJM, Sealdah who would take steps in accordance with law.

So far as the other issues are concerned, I direct that the police authorities would ensure that since number of criminal cases are pending, there is no chance and/or possibility of further breach and/or violation of any law and order. To that effect, if required, the police authorities would take preventive measures so that the situations do not blow out of the proportion.

In case, the petitioner feels insecured because of the act and actions of the private respondents, he would apply

before the learned ACJM, Sealdah who is *in seisin* of all the criminal cases. The learned ACJM, Sealdah will call for a threat perception report, and, thereafter, pass necessary directions under the Witness Protection Scheme, 2018.

With the aforesaid observations, WPA 19600 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.)

