

05.12.2025
rc/ct.no.05
Item No.24

WPA No. 24234 of 2025
Abdul Khaleque
Versus
The State of West Bengal & Ors.

Mr. Rabi Sankar Chatterjee
Mr. Anindya Sundar Das
Mr. Shaunak Ghosh
Ms. Paramita Mondal
Ms. Suva Gayen
Mr. Suman Halder
Ms. Rebika Sultana ..for the Petitioner

Mr. Simanta Kabir
Mr. Subhayn Dasfor the State

Mr. Purbayan Chakraborty
Ms. K. Mubra ...for the private respondent

Report submitted by the State is taken on record.

Heard learned counsels for the parties.

The alleged incident occurred on April 08, 2024 and the complaint was lodged on September 16, 2025. Such inordinate delay has not been explained. The private respondent who is a civic volunteer and was driving the offending toto as alleged by the petitioner has been found to be on duty in front of Chanchal Super Speciality hospital which is at least 2 kilometers away from the place of occurrence.

It is submitted by the learned counsel appearing for the State that the CCTV footages of the place of occurrence or the hospital where the victim was admitted could not be retrieved due to lapse of considerable period of time. On

holding preliminary enquiry the allegation of the petitioner of negligence of the private respondent in driving the toto and driving the same in the uniform of a civic volunteer have prima facie not been substantiated. The police authority has taken necessary steps pursuant to the complaint lodged by the petitioner.

However, the petitioner is at liberty to take necessary steps with regard to the accident of his daughter before the appropriate forum, in accordance with law.

Nothing further remains to be adjudicated in the present writ petition. The same is disposed of.

There shall, however, be no order as to costs.

Since no affidavit is invited, the allegations contained in the writ petition are deemed not to have been admitted.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh,J)