

D/L 33
10.04.2025
Kausik
ct.no.35

W.P.A. 29072 of 2024

**Dr. Anurupa Roy
Versus
State of West Bengal & Ors.**

Dr. Anurupa Roy

...petitioner-in-person.

Mr. Pawan Kumar Gupta
Ms. Sofia Nesar
Mr. Santanu Sett

...for the opposite party no. 5.

Mr. Jhuma Chakraborty
Ms. Rupsha Chakraborty

...for the state.

Petitioner appears in-person and submits that there has been inaction of the police authorities as the Chief Medical Officer of Health in his reply to the RTI application on or about 13.03.2024 reported incorrectly in respect of the criminal case which is pending against one, Dr. Moumita Ghosh. Petitioner further alleges there are issues relating to fabrication of records, cheating and other allied criminal offences. Additionally she alleged that the respondent nos. 6 to 9 are responsible as they are trying to shield the offender and it is possible that they are in hand in gloves with the delinquent.

State has submitted a report which reflects regarding the previous cases instituted at the behest

of the petitioner and the steps taken by the police authorities. However, so far as the present informations which have been furnished on 09.07.2024, I find that no steps have been taken as the police authorities complained that sufficient documents could not be placed before them.

Having considered the plight of the petitioner, I am of the view that the petitioner would be at liberty to file an application under section 175(4) of the BNSS before the jurisdictional criminal court. The learned court would assess as to whether any cognizable offence has been made out, ascertain whether a case for investigation is made out and thereafter pass necessary directions by exercising his discretion.

With the aforesaid observations WPA 29072 of 2024 is disposed of.

Report so submitted be kept with the record.

A copy of the report be handed over to the petitioner appearing in-person.

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

(Tirthankar Ghosh, J.)