

13.01.2025
Item No.105
Ct. No.35
dc.

W.P.A. 30818 of 2024

Md. Belal Ahemed
versus
The State of West Bengal & Ors.

Md. Jannat Ul Firdous ... For the Petitioner.

Mr. Vimal Kumar Shahi, AGP,
Ms. Pratiti Das ... For the State.

Affidavit-of-service filed in Court today be kept with the record.

Report submitted by the learned advocate appearing for the State be also kept with the record. A copy of the report be handed over to the learned advocate appearing for the petitioner.

The petitioner is aggrieved by the progress of Asansol (N) Police Station Case No. 282/2024 as well as the fact that the complainant's family is being threatened.

State has submitted a report which reflects that the police authorities have been effectively investigating the case and in fact, the victim has been recovered and because of mental condition of the victim, the statement under Section 183 of the BNSS could not be recorded.

The police authorities were forced to make an application before the learned Judicial Magistrate and directions have been passed by the learned Judicial Magistrate for the complainant to produce the victim for recording the statement on 16.01.2025.

In view of the progress of the investigation so far as the merits are concerned, the same are not interfered with. However, the complainant alleges threats at the behest of the accused persons. To that extent, the complainant will inform the jurisdictional Magistrate. The jurisdictional Magistrate will pass necessary orders for threat analysis report under the Witness Protection Scheme, 2018 and thereafter pass necessary orders pursuant to receipt of the report so that the petitioner do not lose confidence in the judicial system for deposing as a witness.

With the aforesaid observations, the writ petition being WPA 30818 of 2024 is disposed of.

There will be no order as to costs.

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

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

(Tirthankar Ghosh, J.)