

12.3.2025  
Item. 17  
Ct. No. 2  
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**CALCUTTA HIGH COURT  
IN THE CIRCUIT BENCH AT JALPAIGURI**

**W.P.A. 515 of 2025**

Joybul Islam @ Jaibul Islam  
Vs.  
State of West Bengal & Ors.

Dr. Arjun Chowdhury  
Ms. Pratusha Dutta Chowdhury  
Ms. Riya Agarwal  
Mr. Mantu Mandal

...for the petitioner

Mr. Subir Kumar Saha, Ld. AGP  
Mr. Sumit Kumar

... for the State

Report filed on behalf of the State is taken on record.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is the father of the victim lady who was murdered along with her husband by the accused private respondents. Their bodies were found below a tower with injuries. Even after the first post mortem report indicated the possibility of suicidal death, a second opinion was not taken by the Investigating Agency. This was required in the peculiar circumstances in which the deaths took place. The couple decided to marry after the husband had given assurance to his first wife that within ten days of the marriage, he would gave away all his

properties to the first wife. He apparently did not comply with such promise. This infuriated the first wife who arranged to murder the couple.

Learned counsel appearing on behalf of the State submits that a thorough investigation has been done by the Investigating Agency and a charge sheet has already been submitted, although the commitment has not taken place as yet. While the prime accused is in custody, others were granted anticipatory bail.

From a perusal of the post mortem reports, it appears that the Doctor failed to give any further opinion as to the cause of death, except that the same were due to effects of hanging and anti-mortem in nature.

This can fairly happen in certain circumstances. However, in the context of the present facts, this Court finds it is necessary that the Investigating Agency obtained a further report regarding the cause of death of the two victims.

In view of the above, let the Investigating Agency further investigate into the matter to the limited extent of obtaining a further opinion regarding the cause of death of the two victims to be obtained from another medical expert of the North Bengal Medical College and Hospital to be selected by the MSVP of the said Medical College.

Let the same be done in accordance with law and at the earliest.

The Investigating Agency shall, after obtaining such opinion, file their supplementary charge sheet in accordance with law.

With these observations and directions, the writ petition is disposed of.

Urgent Photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

**(Jay Sengupta, J.)**