

23.04.2025
Court No. 2
Item No. 72
AGM

**Calcutta High Court
In the Circuit Bench at Jalpaiguri
Appellate Jurisdiction**

WPA 896 of 2025

Dipak Barman
Versus
The State of West Bengal & Ors.

Mr. Surojit Basu.
Mr. Ratan Chandra Roy.
Mr. S. Bhowmik.
... for the petitioner.

Ms. Bedashruti Bose.
Mr. Sandip Guha Roy.
... For the State.

1. The notice under Section 179 BNSS dated 13th March, 2025 issued to the petitioner to appear before the police station for the purpose of investigation is under challenge in the instant writ petition.
2. It appears that a similar notice to the petitioner was already under challenge in the earlier writ petition filed by him in WPA 411 of 2025 which stood disposed of by the Court on 11th March, 2025 clearly directing the petitioner to attend the police station and cooperate with the investigation.
3. The police was directed to give another date to the petitioner to come and appear.
4. By virtue of the leave granted by the Court, the impugned notice has been issued. The petitioner, instead of attending the police

station for the purpose of the investigation, has challenged the same all over again in the instant writ petition.

5. The petitioner stresses on the fact that he may be arrested if he attends the police station. It appears that similar apprehension of the petitioner was considered by the Court in the earlier writ petition. There is no requirement of repeating the same observation of the Court all over again.
6. It appears that the petitioner, for reasons best known to him, is deliberately trying to avoid the investigation and for that reason time and again approaching the Court for the same relief.
7. Relief was already granted to the petitioner in the last writ petition filed by him. No separate relief can be granted to the petitioner in the instant writ petition.
8. The date and time for appearance before the police station has expired.
9. The petitioner is directed to immediately report to the police station within one week from date.
10. The writ petition stands disposed of.
11. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Amrita Sinha, J.)