

S/L 12
15.05.2025
Court No.2
SD

CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI
CONSTITUTIONAL WRIT JURISDICTION

WPA 1026 of 2025

XXX

Vs.

The State of West Bengal & Ors.

Mr. Sayan Banerjee
Ms. Rishita Chakraborty

...for the Petitioner.

Mr. Pretom Das

...for the State.

The petitioner is alleging that she is a victim of rape and on the said allegation, she had lodged a complaint with the Dinhata Women Police Station, giving rise to Dinhata Women PS Case No.25 of 2025 dated March 18, 2025 under Sections 69/118(1)/351(2) of the Bharatiya Nyaya Sanhita, (BNS) 2023.

The principal accused of the said criminal case was immediately arrested and he is now in jail custody.

The petitioner once again lodged another complaint on April 18, 2025, alleging that the men, agents and associates of the accused person of the aforesaid criminal case, to pressurize to withdraw the said criminal case, had threatened and assaulted her.

On the basis of such complaint, another case being Dinhata Women PS Case No.34 of 2025 dated April 19, 2025 under Sections 115(2)/109(1)/351(2)/49 of the Bharatiya Nyaya Sanhita, (BNS) 2023 was registered against eight accused persons.

The principal accused and another accused of the said criminal case have been arrested; others are evading arrest.

The petitioner is complaining that investigation of the said two criminal cases are not being conducted properly, she is praying that those cases be monitored by any higher officials of the police.

Mr. Sayan Banerjee, learned advocate for the petitioner submits that his client is under constant threat and pressure of the accused persons and their men and agents, as such, she needs adequate protection.

In compliance with the direction dated May 13, 2025, *Ms. Suniti Subba and Ms. Pinki Roy*, the Investigating Officers

of both the criminal cases are personally present before this Court.

Mr. Pretom Das, learned advocate for the State on instruction, submits that the chargesheet in Dinhata Women PS Case No.25 of 2025 has already been submitted, and investigation in the Dinhata Women PS Case No.34 of 2025 is almost complete, and the chargesheet would be submitted within 30 days from the date.

Heard learned advocate for the parties, perused the materials on record.

Upon completion of investigation in one case, chargesheet has been filed, and in the other case, such investigation is almost complete and this Court has been assured that the chargesheet would be filed soon, such being the stage of the cases, monitoring of the investigation of said cases by the higher official of the police, as prayed for by the petitioner, is not necessary, however the investigating officers are directed to ensure safety and security of the petitioner.

The personal appearance of the two investigating officers of the said criminal cases is dispensed with, until further orders.

WPA 1026 of 2025 is thus disposed of without any order as to costs.

Parties to 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, subject to compliance of all requisite formalities.

(Biswajit Basu, J.)