

**IN THE HIGH COURT AT CALCUTTA**  
CONSTITUTIONAL WRIT JURISDICTION  
(Appellate Side)

**W.P.A. 375 OF 2026**

**XXXXX**  
**VS**  
**THE STATE OF WEST BENGAL AND OTHERS**  
.....

Mr. Sayak Chakraborti, Adv.  
Mr. Wrickbrata Roy, Adv.  
Mr. Iswan Das, Adv.  
...for the Petitioner

Mr. Biplab Guha, Adv.  
Mr. Biswajit Das, Adv.  
...for the State

1. Matter is heard in presence of the learned advocates representing the petitioner and the State respondents.
2. Learned advocate representing the petitioner has expressed concern relating to a mobile phone which is under possession of the accused containing intimate photographs. It is submitted on behalf of the petitioner that said mobile phone needs to be seized immediately.
3. One communication dated 1<sup>st</sup> February, 2026 of Officer-in-Charge, Behala Police Station is filed today by the learned advocate representing the State respondents and same is taken on record. Copy of the said communication dated 1<sup>st</sup> February, 2026 is made over to the learned advocate representing the petitioner.
4. It is disclosed in the said communication dated 1<sup>st</sup> February, 2026 that based on the complaint of the

petitioner, a criminal prosecution being Behala P.S. Case No.308 dated 18<sup>th</sup> November, 2025 was initiated under Sections 69/316(2)/351(3)/3(5) of BNS, 2023. It is also disclosed in that communication that the accused person was arrested on 4<sup>th</sup> January, 2026. Thereafter, medico-legal examination of the accused person was conducted and he was in judicial custody. Mobile phone of the accused was also seized by the Investigating Officer.

5. In view of the steps taken by the concerned police authority including seizure of mobile phone, it appears that grievance of the petitioner stands redressed and no further order need be passed on this writ petition at this stage of investigation of Behala P.S. Case No.308 dated 18<sup>th</sup> November, 2025.
6. However, concerned police authority is directed to file final report before the jurisdictional Magistrate at an early date.
7. Writ petition stands disposed of.
8. However, petitioner shall be at liberty to approach the jurisdictional Magistrate, if occasion so arises.
9. Urgent photostat certified copy of the order, if applied for, be given to the parties upon usual undertakings.

**(SAUGATA BHATTACHARYYA, J.)**