

24.03.2026
15 Court No. 05
(DL) (Suwendu Mukherjee)

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
(APPELLATE SIDE)

WPA 5393 of 2026

Jhutan Das alias Jhuton Das
-Versus -

The State of West Bengal & Ors.

Mr. Sarwar Jahan
Mr. Binay Shaw
Ms. S. Sen
Ms. Tapati Sarkar
Ms. Sahina Pervin
Mr. Soumyajit Ray Choudhury
Mr. Koustab Roy

....for the petitioner

Ms. Mitali Mukhopadhyay
Ms. Suvasree Ghose

....for the State respondents

Mr. Partha Pratim Das
Mr. Monajit Chakrabarti

...for the private respondent nos. 6, 7 & 8

1) Pursuant to the order dated 12th March, 2026 learned advocate representing the State respondents has filed a communicated dated 23rd March, 2026 of Officer-in-Charge of Gobardanga Police Station, Barasat Police District, North 24 Parganas and same is taken on record. Order dated 11th March, 2026 of the learned Chief Judicial Magistrate, Barasat, North 24

Parganas is enclosed to said communication dated 23rd March, 2026.

2) It appears from said order of the learned Chief Judicial Magistrate, Barasat dated 11th March, 2026 that on the prayer made on behalf of the Investigating Officer seeking permission to proceed with further investigation in connection with Gobardanga Police Station case no. 139/19 dated 19th August, 2019, Investigating Officer was allowed to take steps. Based on such order dated 11th March, 2026 it is submitted on behalf of the State respondents that steps are being taken.

3) However, learned advocate representing the petitioner has drawn attention of this Court to the order dated 25th February, 2022 passed by the learned Chief Judicial Magistrate, North 24 Parganas whereby by Criminal Investigation Department (CID), West Bengal was directed to investigate the case and final report was also directed to be submitted. Said order dated 25th February, 2022 was passed on the application of the *de facto* complainant dated 29th December, 2021. *De facto* complainant is the petitioner in the present case.

4) It is also contended that the order dated 25th February, 2022 of the learned Chief Judicial Magistrate, North 24 Parganas was assailed by filing a revisional application which was disposed of by the learned Additional Sessions Judge, Fast Track Court No. 1, Barasat, North 24 Parganas on 1st July, 2025

thereby setting aside the order dated 25th February, 2022 directing the Inspector-in-Charge of Gobardanga Police Station to conduct further investigation by appointing an efficient officer of his police station under his supervision other than the previous Investigating Officer and a report was required to be submitted by three months from the date of receiving of said order before the learned Chief Judicial Magistrate, Barasat.

5) It is contended that in spite of said order dated 1st July, 2025, till date no report has been submitted before the learned Chief Judicial Magistrate, Barasat.

6) Having considered the submissions made on behalf of the respective parties and taking note of the order dated 1st July, 2025 passed by the learned Additional Sessions Judge, Fast Track Court No. 1, Barasat, North 24 Parganas, concerned police authorities are directed to complete investigation in terms of the order dated 1st July, 2025 expeditiously, preferably by two months from the date of communication of this order and report to be submitted before the learned Chief Judicial Magistrate, Barasat.

7) In the event concerned police authorities fail to submit report in terms of aforesaid direction, petitioner shall be at leave to bring the same to the notice of the learned Chief Judicial Magistrate, Barasat for passing necessary order.

8) With the above directions, writ petition stands disposed of.

9) There shall be no order as to costs.

10) Urgent photostat certified copy of this order, if applied for, be given to the parties on usual undertaking.

(Saugata Bhattacharyya, J.)