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jdt. 21.01.2026
jb.

WPA 25419 of 2025
(Tarak Biswas vs. State of West Bengal & Ors.)

Mr. Arka Pratim Chowdhury
Ms. Aishwarya Roy
Mr. Aditya Kr. Sonar
Ms. Puja Rajbhar
Ms. Dipanwita Das
Mr. Dipanjan Karmakar
.... **For the Petitioner**
Mr. Deepnath Roy Chowdhury
.... **For the State**

Case diary is produced.

It appears from the case diary that statement of the petitioner has been recorded under Section 180 of the BNSS but there is still no prayer made by the investigating officer for recording of the statement of the parents of the deceased under Section 183 of the BNSS. The post mortem report suggests that death was caused due to asphyxia following drowning which is ante mortem in nature. Though learned counsel for the State submits that the deceased had consumed huge quantity of ganja for which he was unable to swim and was drowned, the post mortem report does not support his contention. The report finds only undigested rice in the stomach of the victim.

It is pertinent to note that the petitioner alleges that the deceased was requested to be part of a racket dealing in contraband articles and on his refusal to do so was murdered. Surprisingly such allegation has not found place in the complaints lodged by the petitioner before the police.

The issue involves unnatural death of a person. Investigation is in progress. Certain laches/loopholes have

been found in the investigation. The investigation needs to be monitored by a superior official of the police department.

In view of the above, investigation shall continue and be monitored by the Superintendent of Police, Nadia, being the 3rd respondent herein, who shall take necessary steps to ensure a fair and impartial investigation and take the same to its logical conclusion in accordance with law.

The writ petition is accordingly disposed of.

Case diary be returned.

There shall be no order as to costs.

Since no affidavit has been invited, allegations contained in the writ petition shall be deemed not to have been admitted.

Urgent certified website copy of the order, if applied for, be given to the parties on compliance of requisite formalities.

(Suvra Ghosh, J.)