13.11.2026
08 Court No. 05
(DL) (Suvendu Mukherjee)

IN THE HIGH COURT AT CALCUTTA

CONSTITUTIONAL WRIT JURISDICTION
(APPELLATE SIDE)

WPA 28385 of 2026

Tannistha Bhattacharya
–Versus –
The State of West Bengal & Ors.

Mr. Moyukh Mukherjee
Mr. Abhijit Singh
Ms. Sagnika Banerjee
....for the petitioner

Mr. Arkaprava Sen
Mr. Atanu Basu
...for the State respondents

1) Matter is taken up for consideration in presence of learned advocates representing petitioner and State respondents.

2) Petitioner being complainant has expressed dissatisfaction with regard to steps taken by concerned police authorities while investigating criminal prosecution being Tala Police Station Case No. 61 of 2026 dated 23rd August, 2026.

3) Mr. Mukherjee, learned advocate representing petitioner submits that allegations are serious in nature requiring expeditious investigation strictly in accordance with law. It is submitted that till date statement of petitioner under Section 183 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, "BNSS, 2023") is not recorded and prayer is made for directing concerned police authorities to take steps for

recording statement of petitioner under Section 183 of the BNSS, 2023.

4) Mr. Sen, learned advocate representing State respondents has filed a communication dated 5th October, 2026 of Officer-in-Charge, Tala Police Station and same is taken on record. Copy of said communication is made over to learned advocate representing petitioner.

5) It is disclosed in communication dated 5th October, 2026 that place of occurrence was visited and statement of complainant and other witnesses were recorded under Section 180 of the BNSS, 2023. Notice was issued under Section 94 of the BNSS, 2023. Prime accused namely Abhishek Lahiri was arrested on 10th September, 2026 and he was in custody till 30th September, 2026. However, said Abhishek Lahiri was enlarged on bail on 1st October, 2026.

6) In view of steps taken by concerned police authorities, it ought not to be inferred at this stage that steps have not been taken while investigating Tala Police Station Case No. 61 of 2026 dated 23rd August, 2026.

7) However, Investigating Officer is directed to expedite the investigation and take the investigation to its logical conclusion by submitting report either way before the jurisdictional Magistrate.

8) If petitioner finds that steps are not being appropriately taken for concluding the investigation in connection with aforesaid criminal prosecution, in that event liberty is granted to petitioner to approach the

jurisdictional Magistrate for expediting the investigation. With regard to authority of jurisdictional Magistrate to monitor the investigation, reliance is placed on the judgment of the Hon'ble Supreme Court reported in **2026 SCC OnLine SC 798** (**Sujal Vishwas Attavar and Another Vs. State of Maharashtra and Others**).

9) Writ petition stands disposed of.

10) Parties to act on server copy of this order duly downloaded from the official website of this Court.

(Saugata Bhattacharyya, J.)