

06.01.2026
rc/ct.no.05
Item No.08

WPA No. 26733 of 2025
Kaizer Ahamed
Versus
The State of West Bengal & Ors.

Mr. Firdous Samim
Ms. Gopa Biswas
Mr. Hasanuz Zaman Molla
Mr. Mainak Ghosal
Mrs. Rajashree Saha
Mr. Hasibur Rahaman Jamadar
Mr. A. Majumder ..for the Petitioner

Mrs. Sonal Sinha
Mr. Gourav Dasfor the State

Mr. Sagnik Mukherjee
Ms. Dishari Kanjilal
Mr. Akash Ghosh ...for the respondent no.8

Mr. Avik Ghatak
Mr. Akash Ghosh ...for the respondent no.6

Affidavit of service filed by the petitioner and report submitted by the State are taken on record.

The petitioner alleges that he was initially provided security personnel for protection of his life and property. After withdrawal of the security personnel, his office premises was attacked and vandalized on two occasions and his valuables stolen therefrom. The petitioner lodged three complaints before the police authority in this regard and has provided the CCTV footages of the alleged incident along with such complaints. The petitioner seeks police protection.

It appears from the report submitted by the State that pursuant to the complaint lodged by the petitioner with regard to the incident which allegedly occurred on October 28, 2025, enquiry was held and prosecution submission under Section 126 of the BNSS. The complaint lodged on October 26, 2025 was registered as FIR and investigation is in progress. The report indicates that despite notices issued upon the petitioner under Section 179 and Section 94 of the BNSS, the petitioner has not cooperated in investigation.

The petitioner denies and disputes such allegation.

Learned counsel for the private respondent also denies and disputes the allegation made by the petitioner.

Upon consideration of the submission made on behalf of the parties this Court is of the view that since investigation pursuant to the complaint lodged by the petitioner is in progress, the Investigating Officer is directed to conduct a fair, impartial and unbiased investigation and take the same to its logical conclusion in accordance with law. The petitioner shall cooperate in investigation in all respects and shall provide the CCTV footages, pen drive and other relevant material to the Investigating Officer at the earliest.

In the meantime, the police authority shall keep strict vigil in the area in order to avoid any untoward

incident and shall render necessary assistance/protection to the petitioner as and when sought.

The writ petition is accordingly disposed of.

There shall, however, be no order as to costs.

Since no affidavit is invited, the allegations contained in the writ petition are deemed not to have been admitted.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh,J)