

20.01.2026
Court No. 05
Item No. 34
Sandip

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 29602 of 2025

Shweta Shaw
Vs.
The State of West Bengal & Ors.

Mr. Moyukh Mukherjee,
Mr. Abhijit Singh,
Mr. Koustav Lal Mukherjee,
Ms. Sagnika Banerjee,
Ms. Sarmistha Basak
.....for the petitioner
Mr. Saiful Alam
.....for State

Perused the Case Diary. Certain disturbing facts are noticed. The complaint was lodged by the petitioner on 7th December, 2025 and was registered as FIR on 11th December, 2025. Though investigation is continuing for more than a month, the statement of the victim has not been recorded under Section 183 of the BNSS. The injury report of the victim prima facie indicates an offence under Section 109 of the BNS despite which the said provision has not been added by the Investigating Officer. There has hardly been any progress in investigation of the case during the past one month. The investigation has been confined to recording statements of some witnesses under Section 180 of the BNSS only.

In view of the slipshod and lackadaisical manner of investigation, the same needs to be transferred to a senior police official in the interest of justice.

The investigation be transferred to the Deputy Commissioner of Police, South-West Division, who shall form a Special Investigation Team comprising three senior officers who shall conduct the investigation in a fair, proper, unbiased and impartial manner and take the same to its logical conclusion in accordance with law.

The Case Diary alongwith other relevant material shall be made over to the SIT by the present Investigating Officer at the earliest.

With the above instruction and observation, the writ petition is disposed of.

There shall be no order as to costs.

The Case Diary be returned.

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.)