

25.02.2026.
Item No.34
Court No.05
BR

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

W.P.A. 1492 of 2025

Sulata Paul and anr.

-vs-

The State of West Bengal and Ors.

Mr. Kunaljit Bhattacharya,,
Mr. Alok Sah,
Ms.Rajashree Mukherjee,
Ms. D. Ghosh
. ...for the petitioners

Ms. B. Bose,
Mr. Sandip Guha Roy
... for the State

1. Affidavit of service filed by the petitioner be kept with the record.
2. The writ application has been preferred praying for directing investigation by the CID in respect of Jaigaon P.S. Case No. 240 of 2022 dated 6.10.2022 , under Section 279 and 338 of the Indian Penal Code and further praying for direction upon the Superintendent of Police , Alipurduar , to conduct the investigation in respect of Jaigaon P.S. Case No. 240 of 2022 dated 6.10.2022 , under Section 279 and 338 of the Indian Penal Code and added under Section 304 of the Indian Penal Code, directly under his supervision and to complete the said investigation as expeditiously as possible by following all legal procedure and also by exercising due diligence.
3. On hearing , learned counsel for the parties and on perusal of the material on record

which includes the report submitted by the State and in the exception thereto filed by the petitioner, it is one of the contention of the petitioner, that the petitioner believes that the death though shown as accidental may be a homicidal by persons with vested interest. The said submission is based on the fact that the petitioner had seen the victim leaving his residence, prior to the accident, on receiving a phone call, in an unusual manner and this has raised the suspicion of the petitioner herein.

4. Learned counsel for the State submits that prayer of the petitioner has been considered and **further investigation is being conducted which is on the verge of completion.** It appears from the record that the petitioner's mobile has been seized by the investigating agency but the learned counsel for the State submits that as it is a locked phone with a password and is not in working condition, the mobile could not be opened.
5. Accordingly, the Investigating Officer shall now investigate the said calls as per CDR and on conclusion of collection of evidence during further investigation, shall proceed in accordance with law. The further investigation shall be conducted under the the direction and supervision of the said Superintendent of Police, Alipurduar, who shall personally look into the logical conclusion of the further investigation, in the present case keeping in mind the nature of the case being investigated further.
6. WPA 1492 of 2025 stands disposed of.

7. Urgent Photostat certified copy of this order, if applied for, be given to the learned counsel for the parties on usual undertakings.

(Shampa Dutt (Paul), J.)