

Item No.95
08.01.2026
Court. No. 2
(gc)

*CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI
APPELLATE JURISDICTION*

WPA 2519 of 2025

Sri Sarat Mitra
VS
The State of West Bengal & Ors.

*Mr. Kumar Shantanu,
Ms. Afsana Khatun,
Ms. Nikita Paul,
Mr. Taiab Sahadat*

...for the Petitioner.

*Mr. Momenur Rahman,
Ms. Bedashruti Bose*

...for the State.

1. The petitioner alleges inaction on the part of the police authorities. The petitioner contends that his son is being harassed continuously by persons, who are allegedly, hackers. It is submitted that his son's Aadhar, Digilocker and other platforms exclusively being used, have been hacked. It is also submitted that those persons continuously follow the son and a complaint had been lodged with the police authorities. According to the petitioner, even the marks obtained by the son in C.B.S.E. exam in Chemistry, had been had reduced from 63 to 4.
2. On the complaint lodged by the petitioner, Siliguri Police Station Case No.466 of 2025 dated July 15,

2025 under Section 329(3)/123/351(2)(3) of the BNS has been registered.

3. During investigation, witnesses were examined under Section 180 of the BNSS and some chemical substance was seized in presence of the witnesses, from the house of the petitioner. This entire process was videographed vide Siliguri PS P.R. No.152/25 and labeled. The same has been sent to Director of State Forensic Science Laboratory, Behlgachia Road, Kolkata for expert opinion. It is assured that a sharp vigil has been kept around the place of occurrence for the safety of the petitioner's son. Reminder has been sent to the Director of State Forensic Science Laboratory, Behlgachia Road, Kolkata for the opinion. Copies of the FIR, seizure list, exhibit challan, etc. are annexed to the report. The investigation is continuing.
4. The police authorities have decided to produce the son of the petitioner before the concerned Magistrate for recording of his statement under Section 183 of the BNSS.
5. Under such circumstances, the petitioner shall produce his son before the Investigating Officer, who will ensure that the statement of the son is recorded by the concerned Magistrate.
6. The Commissioner of Police, Siliguri Police Commissionerate shall monitor the entire

investigation, especially because there are allegations of hacking and officers from the Cyber Crime Cell, should also be actively involved in this investigation.

7. The police authorities are keeping a vigil over the house of the petitioner. It is directed that the petitioner shall inform the concerned I.O. with regard to the movement of his son and a constable shall be deputed to accompany the child to and from the exam hall on the days the exams are to be held. The exam schedule shall be informed to the concerned I.O. by the petitioner.
8. The C.B.S.E. Board will supply a copy of the answer script to the petitioner's son, as prayed for under the Right to Information Act, if the same is available.
9. The investigation shall be reached to its logical conclusion expeditiously.
10. Accordingly, the writ petition is disposed of.
11. However, there shall be no order as to costs.
12. The parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)