

Item No.13
09.01.2026
Court. No. 2
GB

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

WPA 2722 of 2025

Smt. Bithika Roy
VS
The State of West Bengal & Ors.

*Mr. Arnab Saha,
Md. Shoaib Akhtar*

...for the Petitioner.

*Ms. Bedashruti Bose,
Mr. Sandip Guha Roy*

...for the State.

1. Affidavit-of-service filed in Court today, is taken on record.
2. A mandatory direction for immediate registration of an FIR is not granted by the Court at this stage in view of the report filed by the police authorities.
3. It appears that the petitioner's husband was arrested on November 14, 2025. Following a celebration of the landslide victory of a particular political party in the Bihar elections, altercation took place between the petitioner's husband, his companions and other persons of the locality.
4. The allegation is that the petitioner's husband and his associates attacked the police personnel as also the local inhabitants. The petitioner's husband was arrested upon registering an FIR by the police. The

petitioner's husband has since been enlarged on bail.

5. The petitioner contends that some of the police authorities also assaulted her mother. Other individuals attacked the petitioner's husband, but they were not arrested. The report of the police authorities which has been filed, mentions the nature of alleged offences committed by the petitioner's husband. Upon conclusion of the investigation, charge-sheet has been filed.
6. It is the specific case of the police authorities that the mob had to be dispersed from the place by the police and none of the women and children in the locality were either hurt or even confronted by the police authorities.
7. However, as the petitioner has made a specific allegation against some police officers, this Court is of the view that the Superintendent of Police, Cooch Behar District must dispose of the representation of the petitioner dated November 17, 2025 in accordance with law, upon taking into account the entire incident. The petitioner will be entitled to appear before the police authorities with her version. The CCTV footages, if available, shall be consulted. Other persons of the locality, who were present during the incident may also be interrogated and a reasoned order shall be passed.

8. If it appears that any other untoward incident had taken place, which had affected the petitioner and her family members, in that event necessary steps shall be taken and an FIR shall be registered. The reasoned order shall be communicated to the petitioner. The entire exercise shall be completed within a period of six weeks from the date of communication of this order.
9. Accordingly, the writ petition is disposed of.
10. Parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)