

NIA Case no. 01 of 2026
CNR–WBCS01-000091-2026
Present: Sri Sukumar Ray
J.O. CODE NO.WB00590
Chief Judge,
City Sessions Court, Calcutta

Order no. 06 dated 17.02.2026

1. Today is fixed for hearing of the petition filed by the NIA with regard to hand over of case diary, alamats and other documents by the Investigating Officer of Beldanga PS case being no. 51 of 2026 dated 17.01.2026 and filing of solemn order of the Hon'ble Supreme Court.
2. The Officer in charge, Sudip Kumar Dhar, S.I, Beldanga P.S is personally present before this Court.
3. Mr. Dipankar Kundu, Ld. Chief Public Prosecutor is present.
4. Mr. Shyamal Kr. Ghosh, Ld. Special Public Prosecutor representing the National Investigation Agency is present.
5. Ld. Advocates for the accused persons are present.
6. The solemn order of the Hon'ble Supreme Court is filed before me.
7. I have gone through the order passed by the Hon'ble Supreme Court in Special Leave to Appeal (Crl.) No (S) 2369/2026 dated 11.02.2026.
8. The submission made by the Superintendent of Police Murshidabad vide his report dated 05.02.2026 was that the case diary and related documents were not produced before this Court since the matter was sub-judice before the Hon'ble Supreme Court in Special Leave to Appeal (Crl.) No (S) 2369/2026 dated 11.02.2026 W.P ((Crl.) Diary No. 7368 of 2026 and the the Hon'ble Supreme Court vide order dated 05.02.2026 was pleased to direct the Hon'ble High Court Calcutta pertaining to the matter.
9. Report dated 05.02.2026 of the Superintendent of Police, Murshidabad clearly shows that case diary and documents were not handed over to the National Investigating Agency because of the pendency of SLP and consequent direction by the Hon'ble Supreme Court to the Hon'ble High Court at Calcutta.
10. However, the Hon'ble Supreme Court has not made any observation or passed any order thereby prohibiting Beldanga Police Station to hand over the case diary and related materials to the National Investigating Agency.
11. There is no specific order of the Hon'ble Supreme Court whereby the Hon'ble Court has allowed any prayer of Beldanga Police Station to retain the case diary and related materials.

- 12.Ld. Chief Public Prosecutor submits that the Hon'ble High Court is seized of the matter at present and the Investigating Officer of Beldanga Police Station case no. 51 of 2026 dated 17.01.2026 will hand over the case diary and related documents to the National Investigating Agency as and when, the Hon'ble High Court, Calcutta passes such direction.
- 13.Mr. Shyamal Kr. Ghosh, Ld. Special Public Prosecutor representing the National Investigating Agency has categorically submitted that National Investigating Agency is facing insurmountable difficulties in conducting the investigation due to non availability of the case diary and seized articles in connection with Beldanga Police Station case no. 51 of 2026 dated 17.01.2026.
- 14.He further submitted that Investigating Officer of Beldanga Police Station is not cooperating with the National Investigating Agency in regard to handing over the case diary for the reason best known to him but unknown to the National Investigating Agency.
- 15.Having heard the Ld. Chief Public Prosecutor, Ld. Special Public Prosecutor of National Investigating Agency and the report filed by the Superintendent of Police, Murshidabad as well as the Investigating Officer of Beldanga Police Station and the order of the Hon'ble Supreme Court in Special Leave to Appeal (Crl.) No (S) 2369/2026 dated 11.02.2026, it appears to this Court that till today there is no order passed by the Hon'ble Supreme Court or the Hon'ble High Court, Calcutta permitting the Beldanga Police Station to retain the case diary and related materials at their whims or has passed any order prohibiting them not to hand over the case diary to the National Investigating Agency, moreso when the FIR has been re-registered by the National Investigating Agency in this case and the accused persons have been produced and taken into custody by virtual mode by this Court.
- 16.Once the accused has been taken into custody by this Court, not handing over the case diary to the National Investigating Agency would amount to hampering the investigation which the National Investigating Agency is supposed to carry out. If the accused persons have been taken into custody in connection with this case, the Beldanga Police Station has no authority to sit over the case diary and materials and to refuse to hand over the case diary to the National Investigating Agency. The approach of the Investigating Officer of Beldanga Police Station and District Superintendent of Police, Murshidabad in handing over the case diary to

the National Investigating Agency after producing the accused persons is not in accordance with law.

17. This approach of the Sudip Kumar Dhar, Investigating Officer of Beldanga Police Station and its approval by the District Superintendent of Police, Murshidabad is highly offensive and cannot be allowed to continue.
18. However, the Superintendent of police, Murshidabad is directed to instruct Sudip Kumar Dhar, Investigating Officer of Beldanga Police Station case no. 51 of 2026 dated 17.01.2026 to hand over the case diary and related materials of the case to the National Investigating Agency by 26.02.2026 positively and submit a compliance report before this Court.
19. Fix **26.02.2026** for submission of report by the Sudip Kumar Dhar, Investigating Officer of Beldanga Police Station and the Superintendent of police, Murshidabad.
20. Let a copy of this order be sent to the National Investigating Agency through the Ld. Special Public Prosecutor for information.
21. Let a copy of this order be sent to the Ld. Chief Public Prosecutor for information.
22. Let a copy of this order be sent to the Superintendent of Police, Murshidabad, West Bengal for information.
23. Let a copy of this order be sent to the Investigating Officer of Beldanga Police Station through the Superintendent of Police, Murshidabad for information and necessary compliance.

Dictated & corrected by me,

Chief Judge
City Sessions Court, Calcutta.

Chief Judge
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