

WPA 27945 OF 2024

09.01.2025

Sl no. 21

Ct no. 17

P.M.

Union of India & Ors.

Pradeep Kumar Shaw

- Vs -

Mr. Pritam Majumdar,
Mr. Mainak Singha Barma
... for the Petitioner
Mr. Rajdeep Mazumder, Sr. Adv
Mr. Moyukh Mukherjee
... for the respondent No. 1 and 2
Mr. Somnath Ganguly, AGP
Mr. Jaladhi Das
... for the State.

Report filed on behalf of the State is taken on record.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner lodged an FIR over the brutal murder of his brother. The FIR was registered, among other provisions, under the Explosive Substances Act and the Arms Act. Therefore, it was incumbent upon the State authorities to intimate the Central Government so that they would be able to decide whether to transfer to the investigation to the NIA. It does not appear that any steps have been taken in this regard. Furthermore, the accused person and their associates are threatening the petitioner with dire

consequences asking him to withdraw the case. Not much has been done to ensure the safety and security of the petitioner. Only a civic volunteer has been stationed in front of the petitioner's house.

Learned counsel appearing on behalf of the State denies the allegation, relies on the report and submits as follows. Investigation is going on. All necessary steps are and would be taken as are required even in terms of Section 6 of the NIA Act. Security has already been provided to the petitioner through a civic volunteer to stand guard in front of the petitioner's house.

It appears from an earlier order passed by the Regular Bench that the matter was similar in nature to other matters which were being heard by the said Bench.

List this matter for hearing before the regular Bench on 15th January, 2025.

The State shall file report on the next date about compliance of Section 6 of the NIA Act.

In addition to the security already provided, the police authorities shall keep a sharp vigil at the locale and ensure that no breach of peace takes place. Surveillance would include frequent visits by police patrol.

The Union of India shall also be at liberty to file a report about whether intimation has been sent to them and about action, if any, that Central Government might have been taken in this regard.

Parties shall act on a server copy downloaded from the official website of this Court

(Jay Sengupta, J.)