

16.12.2024

BP/AGM

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Court No. 35

WPA 29554 of 2024

Arabul Islam

Vs.

The State of West Bengal and Ors.

Mr. Saptangshu Basu. Sr. Adv.

Ms. Sunita Shaw.

Mr. N. Bhattacharya.

Mr. Sujit Gupta.

Mr. Supriya Majumdar.

Mr. Soumen Chatterjee.

Ms. Shayani Das.

... For the petitioner.

Mr. Swapan Banerjee.

Mr. Diptendu Narayan Banerjee.

... For the State.

Supplementary affidavit so filed on behalf of the petitioner be kept with the records.

Petitioner is aggrieved by the fact that all of a sudden his security has been withdrawn. Petitioner submits that with passage of time his threat perception has increased and he has also not been communicated the grounds on which his security has been withdrawn.

Learned advocate for the State has submitted a report. The report incorporates that petitioner happens to be a history sheeter with a number of criminal cases having been registered against him. It has also been contended by the Additional Officer- in-charge Bijoyganj Bazar Police Station that there are conditions which have been imposed when the petitioner was granted bail and that there is every possibility the petitioner may misuse the security for the purposes of intimidating the witnesses.

Be that as it may, petitioner is still engaged as a public representative and has a threat perception. However, the analysis of threat perception is to be

assessed by the police authorities.

If the petitioner was enjoying the security, it must be for reasons which has been recorded by the earlier police administration.

The change of circumstances were at least supposed to be communicated to the petitioner.

Report do not incorporate any reason that why no information was furnished to the petitioner while withdrawing his security.

In the circumstances, I direct the petitioner to furnish a representation before the Commissioner of Police, Kolkata who will assess and analyze regarding the threat perception of the petitioner. Accordingly, if he feels suitable he would assign his reasons for deploying or not deploying any security to the petitioner.

As no affidavits have been called for by the State respondents, the accusation made against the State respondents are deemed to have not been admitted.

With the above observations, WPA 29554 of 2024 is disposed of.

There shall be no order as to costs.

All concerned parties shall act on the server copy of this order duly downloaded from the official website of this court.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Tirthankar Ghosh, J.)

