

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

29.11.2022
Sl. No.44(DL)
srm

W.P.A. No. 2124 of 2022

Smt. Sarmistha Dutta

Versus

State of West Bengal & Ors.

Mr. Sandip Mandal,
Mr. Abhilaash Mittal

...for the Petitioner.

Mr. Subir Kumar Saha,
Mr. Momenur Rahman

...for the State-respondents.

The Superintendent of Police, Cooch Behar, shall file a report before this Court explaining the reasons as to why the respondent No.4 could not be produced before the learned Chief Judicial Magistrate, Cooch Behar, despite issuance of warrant and proclamation.

It is made clear that if the explanation is not satisfactory, necessary orders will be passed upon considering whether there has been any delay, laches and dereliction of duty on the part of the Officer-in-Charge, Kotwali Police Station.

Apart from the report to be filed by the Superintendent of Police, Cooch Behar, the Officer-in-

Charge, Kotwali Police Station will appear before this Court personally with all records.

It is the specific contention of the petitioner that the respondent No.4 continues to reside within the jurisdiction of Kotwali Police Station. The mobile number of the respondent No.4 has also been supplied to the police authorities.

The report of the State-respondents is taken on record. It appears that the proclamation and attachment have been issued by the police authorities. Raids have been conducted but the respondent No.4 could not be traced.

Let this matter appear on **December 7, 2022** under the heading “**To Be Mentioned**”.

(Shampa Sarkar, J.)