

12.07.2021

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WPA No. 10635 of 2021
(Through video conference)

In re : An application under Article 226 of the Constitution of India

And

In re : Md. Sajid

.....petitioner

Mr. Wasim Ahmed

...for the petitioner

Mr. Raja Saha

Mrs. Rupsa Chakraborty

...for the State

Md. Zeeshan Uddin

...for private respondent no. 5

Counsel for the petitioner submits that he has been receiving threats from the private respondents pressurizing him to withdraw certain pending civil proceedings.

Counsel for the State produces instruction issued by the Officer in Charge, Park Street Police Station dated 29th June 2021.

It appears from the instruction that Officer in Charge, Park Street Police Station has visited the said premises and has ascertained the nature of the dispute. It is further submitted that the proceeding under section 107 of the Cr.P.C. has been taken out by the Officer in Charge, Park Street Police Station.

In so far as dispute between the petitioner and private respondent are concerned it is submitted that there are civil suit pending between the parties. It is further submitted that there

is an order of injunction in the said civil suit which has been allegedly violated by the private respondent.

Concerned counsel for the police also submits that his clients have also sent notice to the Kolkata Municipal Corporation to ascertain as to whether there is any illegal construction in the said premises.

This court sees that Officer in Charge, Park Street Police Station has taken steps under the provisions of the Cr.P.C and the Police Act and the question of any inaction on the part of the police does not arise. However, Officer in Charge, Park Street Police Station shall ensure that there is no breach of peace in the area and that the personal liberty of the petitioner is not interfered with by any person. In the event and if deemed necessary, Officer in Charge, Park Street Police Station shall provide necessary security to the petitioner, at petitioners' own expense.

With the above observations, WPA 10635 of 2021 is disposed of.

However, there shall be no order as to costs.

(Rajasekhar Mantha, J.)