

02-07-2021
ct no. 13
Sl.61
sp

WPA 10770 of 2021
Debasish Dutta
-Versus-
State of West Bengal & Ors.
(Through Video Conference)

**Mr. Sabyasachi Bhattacharjee,
Ms. Chaitali Mukhopdhyay**
...for the petitioner

**Sk. Md. Galib,
Mr. Subhabrata Ds,
Mr. Kartick Kumar Goyal,
Ms. Sujata Ghosh**
...for the State-respondents

The petitioner complains that he had to approach the Magistrate under Section 156 (3) of the Cr.P.C. pursuant thereto, an FIR has been registered by the Kharagpur Town Police Station.

It is submitted that a charge sheet being No. 465 of 2020 dated December 31, 2020 before the jurisdictional Magistrate under Sections 447, 323 read with Section 34 of the IPC. It is further submitted that insofar as the complaint filed before and after the charge sheet as regards the continuous harassment, the Kharagpur Town Police have initiated proceedings under Section 107 of the Cr.P.C. on two occasions that is on May, 1, 2021 and June 29, 2021.

Counsel for the State submits that the private respondents are the petitioner's wife and own brothers. However, since the petitioner complains that he has not been able to open his medical shop for the past six months and also given the fact that the police have registered charge sheet and have initiated proceedings under Section 107 of Cr. P.C. on two occasions, this Court is of the view that the petitioner is entitled to police protection at least to open his medical shop.

The Officer-in-Charge, Kharagpur Town Police Station shall provide necessary assistance and sufficient police force to the petitioner to open his medical shop. The costs of police personnel shall be born by the petitioner. The Kharagpur Town Police Station shall also post a constable outside the petitioner's shop for a period of 7 days. Costs whereof shall also be born by the petitioner.

The Kharagpur Town Police Station shall ensure that there is no breach of peace in the area and shall keep a strict vigil on the locale.

With the aforesaid directions, writ petition is disposed of.

There shall be no order as to costs.

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

(Rajasekhar Mantha, J.)