

01.12.2021.
Item No. 60.
Court No.13
pk

**W.P.A. No. 17613 of 2021
(Through Video Conference)**

**Sri Binoy Baidya
Versus
The State of West Bengal & Ors.**

Mr. Sayan Sinha,
Mr. Mainak Swarnokar

..For the petitioner.

Mr. A. K. Guha,
Mr. N. G. Dastidar

... for the State.

Mr. Saunak Bhattacharyya,
Mr. Shiladitya Barma

... for the respondent no. 7

Mr. Ayanava Bhattacharya

... for the proforma respondents.

The writ petitioner complains that the private respondents are continuously assaulting him and despite complaints, Gaighata Police Station is not taking any steps. The proforma respondents, who are also aggrieved by the private respondents, also claim that the latter are interfering with their peaceful existence. There are civil proceedings pending between the proforma respondents and the third parties.

It appears to this Court that the petitioner as well as the private respondents are instigated by the third parties or may have become victims in the cross fire between the parties interested in the property-in-question.

Counsel for the State submits that as many as four charge sheets have been registered on the basis of the petitioner's complaints.

The private respondents also submit that complaints have been lodged with the Gaighata Police Station against the writ petitioner.

This Court directs the Jurisdictional Magistrate, where the charge sheets have been filed, to ensure that the same are put to committal and the trial be commenced expeditiously. The FIR registered at the instance of the private respondents against the petitioner must be investigated preferably within a period of one month from date and final report be submitted to the Jurisdictional Magistrate.

Since the petitioner as well as the proforma respondents' complain of continuous assault and injuries to each other, the Officer-in-Charge, Gaighata Police Station shall post police picket comprising of three constables at the locale at the cost of the writ petitioner. The police picket shall be posted for a period of two months after payment of costs in advance.

The petitioner may obtain copies of the charge sheets from the Gaighata Police Station.

Instructions of the Officer-in-Charge, Gaighata Police Station dated 18.11.2021 to the Government Pleader is taken on record.

With the aforesaid observations, the writ petition is disposed of.

There will be no order as to costs.

All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)