

AD. 21.
February 19, 2021.
MNS.

W. P. A. 9497 of 2020
(**Via video conference**)

Soumyadipta Maity
Vs.
The State of West Bengal and others

Mr. G. K. Das,
Mr. K. C. Sahoo,
Mr. Sandip Kumar Mondal

... for the petitioner.

Mr. Bhaskar Prasad Vaisya,
Mr. Ranjan Saha

...for the respondent-authorities.

Affidavit-of-service filed in Court today be
taken on record.

The grievance of the petitioner is that,
despite the subsistence of Civil Court's orders,
the private respondents have been harassing the
petitioner.

Learned counsel relies on the complaint
lodged with the police, annexed at page 15 of the
writ petition, which discloses cognizable offences.

Learned counsel appearing for the
respondent-authorities files a police report, which
discloses that, on similar complaints, First
Information Reports were registered previously.
The said report is kept on record.

It is submitted that a proceeding under Sections 107/116 of the Code of Criminal Procedure has already been initiated on the current complaint of the petitioner.

However, although the complaint-in-question may pertain to the same dispute which gave rise to the previous FIRs, since cognizable offences have been disclosed in the complaint of the petitioner, it is incumbent upon the police authorities to register a First Information Report and commence investigation on such complaint.

Accordingly, W. P.A. 9497 of 2020 is disposed of by directing respondent no. 3 to immediately register a First Information Report on the basis of the complaint of the petitioner, (Annexure- P3 at page- 15 of the writ petition), and to commence investigation thereon at the earliest.

There will, however, no order as to costs.

Urgent photostat certified copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Sabyasachi Bhattacharyya, J.)