

28.11.2022  
Court No.13  
Item No.379  
AP

**WPA 1725 of 2021**

**Dilip Ghosh  
Vs.  
The State of West Bengal & Ors.**

Mr. Keshab Chandra Das  
Ms. Aparajita Mondal  
Mr. Biplab Adak

... For the petitioner.

Mr. Subhabrata Datta  
Mr. Sanatan Panja

... For the State.

The petitioner complains of alleged inaction on the part of the Dhaniakhali Police Station. A complaint has been lodged by the petitioner on 27<sup>th</sup> March 2020 that the private respondents have attacked the petitioner and his wife, outraged his wife's modesty and also snatched gold ornaments. The petitioner and his wife sustained injuries. The police have not registered FIR.

Learned counsel for the State has produced a report in the form of instructions issued by the Officer-in-Charge, Dhaniakhali Police Station addressed to the learned Government Pleader and the same is taken on record.

It appears from the report that proceedings has been initiated under Dhaniakhali Police Station NCR No.386/20 dated 31<sup>st</sup> August 2020 under Sections 107 and 116 of the Code of Criminal Procedure.

This Court sees that in respect of a complaint, that, in fact, discloses cognizable offences, FIR has not been registered.

This Court also sees that there is a family dispute between the petitioner and the private respondents regarding property.

While the property disputes are required to be adjudicated before a civil forum, the Dhaniakhali police ought to have registered FIR since there are cognizable offences discloses.

In these circumstances, Officer-in-Charge, Dhaniakhali Police Station is directed to register FIR forthwith and investigate into the matter in accordance with law.

With the aforesaid directions, the 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.)**