

11.07.2022
Sl. No.358(ML)
srm

W.P.A. No. 1641 of 2022
Sri Kalyan Krishna Nandi
Versus
The State of West Bengal & Ors.

Mr. Kalyan Krishna Nandi
... Petitioner in-person.

Ms. Chama Mukherjee,
Mr. Siraj Gooptu
...for the State-respondents.

Affidavit-of-service is taken on record.

The petitioner alleges inaction of the Officer-in-Charge, Barrackpore Police Station in taking immediate action pursuant to the complaint lodged by the petitioner against the respondent Nos.6 to 10, who are allegedly Advocates of the Barrackpore Court.

According to the petitioner, the said Advocates beat up the petitioner and prevented him from attending the trials pending against him. The other prayer is for departmental enquiry against and punishment of the police authorities of the Lake Town, Police Station. Prayer for protection of the life of the petitioner, has also been made. The police authorities deny that such incident had ever occurred.

First and foremost, it appears that the Lake Town Police Station does not have any jurisdiction in the matter, as the allegation is of being assaulted within the Barrackpore court compound. Secondly, it appears that on earlier occasions whenever the petitioner had made allegations with regard to similar incidents, the enquiry revealed that the allegations were incorrect. Police protection was also granted to the petitioner, by the learned court below.

The petitioner had moved this Court on earlier occasions alleging that he may be manhandled or may be implicated in false cases. The petitioner was granted liberty to approach the police authorities for protection and was also granted further liberty to approach the learned jurisdictional Magistrate with his prayer for an account/locker. The revisional application was, however, dismissed having been found to be misdirected.

The prayers in the writ petition do not inspire the confidence of the Court to pass necessary orders. As the petitioner alleges that there is a history of alleged attacks on the petitioner in the Barrackpore Court, the petitioner is at liberty to approach the Officer-in-Charge, Barrackpore Police Station for police protection, if he

feels unsafe to attend the trials of the criminal cases, which are pending against him.

The petitioner is also at liberty to approach the learned jurisdictional Magistrate under Sections 156(3) of the Code of Criminal Procedure, with regard to the alleged incident.

The writ petition is, thus, disposed of.

There will be no order as to costs.

All parties are to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)