

20.04.2022.
Court No.13
Item No. 33
ap

W.P.A. No. 6070 of 2022

**Kaustabh Mandal
Versus
The State of West Bengal & Ors.**

Mr. Subhendu Banerjee.

...For the petitioner.

Mr. Pantu Deb Roy, Id. AGP,
Mr. Anand Farmania.

...For the State.

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

The writ petitioner complains that the private respondents, who are also Doctors by profession like the petitioner himself, have sold a portion of land to him despite whereof are claiming title thereto.

It is submitted that the private respondents and their agents, are entering into the petitioner's Nursing Home and are ransacking equipment thereat. Fearing threat to his life and property, the petitioner has filed a complaint before the Police Authorities as well as the Superintendent of Police, South 24 Parganas.

Report in the form of instructions of the Joynagar Police Station, Baruipur Police District, dated 20th April, 2022, addressed to the learned State Advocate, is taken on record.

It appears from the said report that Joynagar Police Station Case No. 257 of 2022 dated 7th April, 2022 under Sections 447/341/427/506/34 of the

Indian Penal Code, 1860, have been registered and investigation is underway.

This Court is of the view, that the disputes between the petitioner and the private respondents are purely civil in nature. With respect to the alleged acts of ransacking, the police have already registered a complaint.

In that view of the matter, the instant writ petition is disposed of, directing the Joynagar Police Station to complete investigation into the FIR registered, and submit a final report before the jurisdictional Magistrate, within a period of one month from date.

The Inspector-in-charge, Joynagar Police Station, shall also ensure that there is absolutely no breach of peace in the area.

In the event, the petitioner makes any such request of police picketing at his residence, the same shall be considered by the Inspector-in-Charge, Joynagar Police Station, after assessing the need therefor, and if it is deemed necessary, a police picket shall be posted, costs whereof, shall be borne by the petitioner.

With the aforesaid observations, the instant writ petition shall stand 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.)