

28.11.2022
Court No.13
Item No.9
sp

WPA 6555 of 2015

Julhasan Sardar
Vs.
The State of West Bengal & Ors.

Mr. Sujit Saha
...for the petitioner

Sk. Md. Galib, Id, Sr. Govt. Adv.
Ms. Subhra Nag
...for the State

Mr. Sandip Das
...for the private respondents

The added parties are represented.

It is submitted by the learned counsel for the State that the petitioner and the private respondents are belongs to the same family and a dispute arose with regard to the possession of land.

There is FIR and counter FIR lodged by the petitioner and the private respondents. A further FIR was registered pursuant to orders under Section 156(3) of the Cr. P.C. and tagged along with the existing FIR.

There are two charge sheets filed, namely, C.S. No. 100/15 dated 28.02.2015 and C.S. No. 31/15 dated 31.01.2015 by the Magrahat Police Station against the petitioner and the private respondents. Trials have commenced in respect of both the charge sheets after transfer to the District Court at Alipore.

Counsel for the petitioner submits that his client is unable to return to his residence out of fear.

Counsel for the private respondents submits that his clients have never obstructed the petitioner from returning to his residence.

The petitioner and his family members may return to their residence. In the event of any obstruction or apprehension, the Officer-in-Charge, Magrahat Police Station shall provide necessary assistance to the petitioner to return to their residence.

The Magrahat Police Station shall maintain regular vigil over the area and ensure that there is no breach of peace in the area.

The petitioner's family as well as the private respondents undertake before this Court not to create any disturbance.

The report of the Magrahat Police Station in the form of instructions dated 27.11.2022, addressed to the learned Government Pleader, is taken on record.

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