

18.07.2022
Court No. 19
Item no.444(ML)
srm

W.P.A. No. 8475 of 2021

Rajkumar Khaitan & Ors.

Vs.

The State of West Bengal & ors.

Mr. Mayukh Mukherjee,
Ms. Fouzia Ahmed,
Ms. Aishwarya Bazaz

.....for the Petitioners.

Mrs. Sipra Majumdar,
Mrs. Prativa Ghatak

...for the State-respondents.

Mr. Arindam Das,
Ms. Rumeli Sarkar

...for the Respondent Nos.6, 7 & 8.

Affidavit-of-service is taken on record.

The police report indicates that the allegations of the petitioners are incorrect. That the petitioner No.3 and his friends were creating public nuisance in a drunken condition and they were arrested by the police. Thereafter they were released on PR bond. The incident was informed to the petitioner No.2, who claims to be the uncle of the petitioner No.3. Subsequently, it appears that on the basis of the complaint of one Biplab Kumar Sadhukhan against Bhabani Sankar Gupta, Durga Sankar Gupta, Jogesh

Sankar Gupta and Raju Sankar Gupta, Gopalnagar Police Station Case No.242 of 222 was initiated. The enquiry revealed that the petitioners owed a huge sum of money to the respondent Nos.6 to 8 and disputes and altercations cropped up when the petitioners refused to repay the money to the said respondents.

It is contended by the petitioners that the Officer-in-Charge, Gopalnagar Police Station was biased and had orchestrated the entire investigation, in order to favour the respondent Nos.6 to 8.

This Court is of the view that the Superintendent of Police of Bongaon Police District must consider the complaint dated May 3, 2022, in accordance with law. The Superintendent of Police, Bongaon Police District, shall dispose of the complaint of the petitioners within a period of three weeks from the date of communication of this order. The investigations, which have been registered against the petitioners, shall continue without any interruption.

A copy of the writ petition along with a server copy of this order, be served upon the Superintendent of Police, Bongaon Police District.

This Court does not express any opinion on the correctness of the allegations made by the petitioners. This order is being passed only because there are allegations with regard to the *bona fide* of the Officer-in-Charge, Gopalnagar Police Station. This order shall also not be construed as an observation of the Court on the allegations, which are made against the concerned Inspector-in-Charge.

The writ petition is, thus, disposed of.

There shall be no order as to costs.

Parties are directed to act on the server copy of this order.

(Shampa Sarkar, J.)