

25.07.2022
Court No. 19
Item no.470
sn

W.P.A. No.9267 of 2022

Bikash Halder
Vs.
The State of West Bengal & ors.

Mr. Saptarshi Basu
Mr. Sanjib Seth
...for the petitioner.

Mr. Manas Kr. Das
Mr. Siddhartha Sarkar
..for the respdts.8-11

Mr. Pantu Deb Roy
Mr. Subrata Guha Biswas ..for the State

With regard to the allegations against one Sri Sahidul Biswas, Sub-Inspector of Police, it appears from the report filed by the police authorities that on March 19, 2022, Mr. Biswas went to meet the respondent no.8 on the basis of the complaint filed by the respondent no.8 against some persons who had allegedly committed some offences. On the basis of such complaint, Tehatta Police Station Case No. 189 of 2022 dated March 15, 2022 under Sections 448/323/ 354/506/34 of the Indian Penal Code had been initiated. According to the report, Mr.Sahidul Biswas was involved in the investigation. A prosecution was also submitted by the said Sahidul Biswas against some of those accused persons.

The learned advocate for the petitioner submits that Sahidul Biswas had visited the petitioner's

land, accompanied by the respondent nos. 8 to 11 and had threatened the petitioner.

The First Information Report which has been furnished indicates that the complainant Chumki Biswas, the respondent no.8 herein, had filed a complaint against Dilip Biswas, Kunal Biswas, Krishna Biswas, Mukti Biswas, Ranjit Biswas, Putul Biswas and Rina Biswas. Records and the report of the police authorities do not disclose that the petitioner's complaint had ever been looked into. It also appears from the records that the petitioner had filed another complaint before the Inspector-In-Charge, Tehatta Police Station with his grievances and allegations.

The respondent Nos. 8 to 11 claim to be the heirs of the vendor of the petitioner.

Under such circumstances, this writ petition is disposed of, with liberty to the petitioner to approach the Tehatta Police Station, with her grievances. If such approach is made, the police authorities shall dispose of the complaint of the petitioner, in accordance with law.

This order shall not be construed as an observation with regard to the correctness of the statements made by the petitioner. The culpability of the respondent nos. 8 to 11, have not been gone into.

This writ petition is disposed of.

There will be, however, no order as to costs.

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

(Shampa Sarkar, J.)