

26.07.2022
Sl.No.13(sl)
sn

W.P.A. No. 10693 of 2022

Ram Gopal Soni

Versus

The State of West Bengal & Ors.

Mr. Satyaranjan Kundu

Mr. Sudhir Kumar Das

... for the Petitioner.

It appears that on the basis of a complaint filed by the petitioner, Posta Police Station Case No.44 dated March 22, 2020 under Sections 341/323/354/506/114 of the Indian Penal Code had been initiated. It also appears that one Pooja Soni was asked to appear for recording her statement under Section 164 of the Code of Criminal Procedure. Proceedings had also been initiated under Section 144(2) of the Code of Criminal Procedure, some time in 2019 and the police authorities had filed a report before the said forum indicating that the disputes between the parties were civil in nature.

The petitioner is not in a position to apprise this Court as to the present position of the investigation.

Under such circumstances, this Court is not in a position to understand what the petitioner exactly wants the police to do. An investigation had been initiated on the basis of complaint of the wife of the petitioner. In any

event, in order to avoid further untoward incident with regard to the disputes between the parties, this Court directs that the police authorities shall maintain vigil. The investigation, if pending shall be reached to its logical conclusion. However, this order shall not be construed as a declaration of the right of the petitioner as a tenant in respect of the property in question.

The disputes between the petitioner and his brother and sister-in-law are not matters for adjudication by the Writ Court or by the police authorities.

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.)