

03.08.2022
Sl. No.19(ML)
srm

W.P.A. No. 11265 of 2022

Sanjib Pramanick

Versus

The State of West Bengal & Ors.

Ms. Sananda Bhattacharyya

...for the Petitioner.

Ms. Sonal Sinha,
Ms. Sangeeta Roy,
Mr. Dipankar Ghosh

...for the State-respondents.

Mr. Ranabir Majumder,
Mr. Snehansu Majumder

...for the Respondent No.6.

The petitioner alleges that the respondent No.6 and her associates had created serious disturbance when the petitioner tried to open his shop, in order to run his business. There is a matrimonial dispute between the parties.

The respondent No.6 is residing elsewhere and Ranaghat Police Station Case No.339 of 2021 dated September 23, 2021 under Sections 498A/307 of the Indian Penal Code had been registered on the complaint lodged by the respondent No.6.

Upon completion of the investigation, a charge sheet has been filed under Sections 498A/323/325/307 of the Indian Penal Code.

Subsequently, another complaint was filed by the respondent No.6 against a staff of the petitioner and Ranaghat Police Station Case No.527 of 2021 dated December 28, 2021 under Sections 341/323/325/354/506/195A/34 of the Indian Penal Code was registered. Upon completion of the investigation, charge sheet was filed.

A third complaint was filed by one Anupurba Das Adhikary on January 15, 2022 against the respondent Nos.6 to 9. On the basis of such complaint, Ranaghat Police Station Case No.30 of 2022 dated January 15, 2022 under Sections 341/323/325/354B/506/34 of the Indian Penal Code had been registered. On completion of the investigation, charge sheet has been filed.

On January 18, 2022 another staff of the petitioner filed an application before the learned jurisdictional Magistrate and on the basis of the order passed therein Ranaghat Police Station Case No.35 of 2022 dated January 18, 2022 under Sections 341/323/325/307/506/34 of the Indian Penal Code was registered. The investigation is continuing.

On March 12, 2022, a complaint was lodged by the petitioner alleging that the respondent No.6 along with four others entered his house by breaking upon the lock and stole Rs.10,00,000/- from the locker. When the petitioner's daughter protested, the daughter was allegedly assaulted.

On the basis of such complaint, Ranaghat Police Station Case No.152 of 2022 dated March 12, 2022 under Sections 448/427/323/379/34 of the Indian Penal Code was registered. The investigation was completed and a charge sheet has been filed *vide* Ranaghat PS Charge Sheet No.401/2022 dated June 28, 2022 under Sections 48/427/323/34 of the Indian Penal Code.

Thus, there appears to be cases and counter-cases by and between the parties. However, the police authority has acted on each and every complaint that was filed by the petitioner and the respondent No.6 against each other. The investigations have been completed and charge sheets have been filed in every case, except in one. The police authorities shall keep a vigil in order to ensure that no further untoward incident takes place, and pending trial, the parties maintain peace and tranquility so that no disturbance is caused to the business of the petitioner.

This order shall not be construed as an acceptance of the allegations made by the petitioner against the respondent Nos.6 to 12. The culpability of the parties shall be decided in the trial.

The remedy of the parties before the learned trial court is kept open.

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.)