

29.08.2022
Sl. No.8(SL)
srm

W.P.A. No. 13953 of 2021

Murshida Mondal & Anr.

Versus

The State of West Bengal & Ors.

Md. Mokaram Hossain,
Mr. Sandipan Maity

...for the Petitioners.

Mr. Anirban Ray, ld. GP
Mr. Amitesh Banerjee,
Mr. Debasish Ghosh

...for the State-respondents.

Mr. Debabrata Sardar,
Mr. Mrinal Kanti Maity

...for the Respondent Nos.6 to 13.

The petitioner alleges inaction of the Officer-in-Charge, Magrahat Police Station. The petitioners went to lodge a complaint against the respondent Nos.6 to 13 alleging commission of offences. It is alleged that instead of entertaining the complaint filed by the petitioners, the police authorities encouraged the some antisocial elements in their unlawful activities. This is the sum and substance of the allegations made by the petitioners.

The police report is taken on record. It appears that on the basis of the complaint of Murshida Mondal and Firoja Begum, Magrahat Police Station Case No.218 dated July 18, 2021 under Sections 341/323/354/379/34 of the Indian Penal

Code was started against the some of the respondents. One Sahajan Fakir was arrested. Sahajada Fakir, Rajjak Fakir surrendered before the learned court below and were released on bail. After investigation, a charge sheet had been filed *vide* Magrahat PS Charge Sheet No.321 dated August 28, 2021 under Sections 341/323/354/506/34 of the Indian Penal Code. A prayer for issuance of warrant of arrest, proclamation and attachment against Badsha Fakir and Monjur Alam has been made. The case was transferred to the learned Judicial Magistrate, 3rd Court at Diamond Harbour. On July 28, 2022, charge was framed by the learned Judicial Magistrate, 3rd Court. A date has been fixed for evidence, on June 30, 2023.

It also appears from the report that Magrahat Police Station Case No.217 of 2021 dated July 18, 2021 was registered against the petitioners and some others under Sections 341/325/307/354/34 of the Indian Penal Code. During investigation, three FIR named accused persons, namely, Shamim Fakir, Kurshid Alam Fakir and King Nizam Noor were arrested. The rest of the accused surrendered and were released on bail. After completion of the investigation, charge sheet No.401/2021 dated January 28, 2021 was filed against nine FIR named accused persons under Sections 341/325/307/354/34 of the Indian Penal Code. The case has

been transferred to the Court of the learned Additional District Judge, Diamond Harbour on June 21, 2022. The next date has been fixed for appearance of the accused persons on September 22, 2022.

Thus, the police report indicates that the allegation of police inaction is not incorrect. Police will maintain peace.

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.)