

05.09.2022
Court No.13
Item No.59
AP

WPA 15797 of 2022

Jakir Hossain Sekh

Vs.

The State of West Bengal & Ors.

Mr. Pratip Mukherjee
Mr. Atarul Hoque Molla
Mr. Omar Faruk

... For the Petitioner.

Mr. Ansar Mondal
Ms. Srilekha Bhattacharyya

... For the State.

By an order dated 26th March 2004 the petitioner's weapon was directed to be confiscated by the learned Additional District & Sessions Judge, 2nd Fast Track Court, Alipore, South 24-Parganas. In the said decision the petitioner was acquitted from Narkeldanga Police Station Case No.42 dated 19th February 1996 under Section 302 of the Indian Penal Code read with Section 27(3) of the Arms Act.

The petitioner seeks return of the said weapon.

The relief sought by the petitioner cannot be granted under Article 226 of the Constitution of India particularly when a Court of competent jurisdiction has ordered confiscation of the weapon in accordance with law.

The petitioner may explore other remedies, if so available in law.

With the aforesaid observations, the writ petition is disposed of.

There shall be no order as to costs.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)