

05.04.2022
Court No.13
Item No.68
pk

WPA 18304 of 2021

**Nazrul Islam Purkait
Vs.
State of West Bengal and others**

(Through Video Conference)

Mr. Lakshminath Bhattacharya

... For the Petitioner.

Mr. Amal Kumar Sen,
Mr. Jaladhi Das

... For the State.

The writ petitioner is aggrieved by alleged inaction on the part of the Mathurapur Police Station, under the Sundarban Police District.

It appears that the petitioner has sent a complaint to the Police Station through registered post, although the Police Station is next door, on the ground that the Police have allegedly refused to accept the complaint.

Counsel for the petitioner would argue that the complaint discloses a cognizable offence. The petitioner has written in the complaint that the respondent no. 10, being his wife has tried to assault him along with other persons, and tried to kill him. It is also submitted that his mother and father have also been assaulted.

Reliance is placed on medical documents.

The Officer-in-Charge, Mathurapur Police Station has made enquiries and submitted a report in the form of instructions addressed to the Government Pleader. It

appears that there is a family dispute between the petitioner and the respondent no. 10 for a substantial period of time. The petitioner is an unemployed person and is dependent on the income of the respondent no. 10 who is an asha karmee attached with the Health Department.

The allegations made by the writ petitioner have been found incorrect after enquiries. This Court is of the view that there is no inaction on the part of the Mathurapur Police Station. The dispute is purely private and civil in nature.

In the above circumstances, Mathurapur Police Station has acted correctly in making enquiries before mechanically lodging an FIR.

The Officer-in-Charge, Mathurapur Police Station is, however, directed to warn both parties against coming into contact or conflict with one another.

Vigil shall also be maintained by the police over the area to ensure that there is no breach of peace.

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

Instructions of the O.C, Mathurapur Police Station dated 06.12.2021 is taken on record.

There will be no order as to costs.

(Rajasekhar Mantha, J.)