

19.04.2022.
Court No.13
Item No. 31
ap

W.P.A. No. 18477 of 2021

**Amal Kumar Das
Versus
The State of West Bengal & Ors.**

Mr. Kallol Mondal,
Mr. Krishen Ray,
Mr. Souvik Das,
Ms. Anumitra Banerjee.

...For the petitioner.

Mr. Samrat Sen, Id. AAAG,
Mr. Nilotpal Chatterjee.

...For the State.

Mr. Suddhasatva Banerjee,
Mr. Supratic Roy,
Ms. Sneha Dutta.

...For the respondent no.9.

The writ petitioner complains of threats and intimidation by the private respondent no.9, and other persons.

It is submitted that originally in relation to an FIR dated 7th May, 2015 being Madhyamgram P.S. Case no. 254 of 2015, a charge-sheet being No. 250 of 2015 dated 24th October, 2015 under Sections 302/120B/212/34 of the Indian Penal Code, 1860, has been filed. It is further submitted that even thereafter, the petitioner is being regularly threatened by a number of persons including the respondent no.9. It is also submitted that certain political figures have also been involved in threatening the petitioner.

The respondent no.9 has also been heard.

Mr. Banerjee, Counsel for the respondent no.9, submits that all allegations against his clients are untrue and incorrect.

This Court notes that as many as five FIRs have been registered on the complaint received from the petitioner by different police stations.

It is therefore expected that the investigation into the aforesaid FIR shall be completed as expeditiously as possible preferably within a period of 45 days from date.

Since the petitioner has expressed serious threat to his life and limb, if he enters his premises, Belghoria Police Station shall depute a constable to accompany the petitioner and his family members back to their residence.

Belghoria Police Station shall maintain a regular vigil on the petitioner's residence, and take steps to protect him, in accordance with law. Depending on the threat perception to the petitioner and the likelihood of any further unrest in the area, the Commissioner of Police, Barrackpore Police Commissionerate, shall consider posting of police picket around the petitioner's residence, in accordance with the applicable Rules.

It is made clear that this Court has not, in any way whatsoever, entered into the question of title of the petitioner in respect of his residence.

With the aforesaid observations, the instant writ petition shall stand disposed of.

There will be no order as to costs.

All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(*Rajasekhar Mantha, J.*)