

S/L 456(ML)
22.08.2022
Court. No. 19
GB

WPA 18489 of 2021

Bimal Kumar Das
VS
The State of West Bengal & Ors.

*Mr. Manoranjan Jana,
Mr. Radhasyam Maiti,
Ms. Mitali Jana.*

...for the Petitioner.

*Mr. Ansar Mondal,
Ms. Srilekha Bhattacharyya.*

...for the State.

Mr. Partha Sarathi Mondal.

...for the Respondent No.7.

Affidavit-of-service filed in Court today, be kept with the record.

Admittedly, the petitioner and the respondent no.7 are the co-sharers of plot no.331, measuring around 41 decimals in Mouza-Shibrampur. The petitioner claims to have purchased 20 decimals out of 41 decimals and the respondent no.7 claims to have purchased 21 decimals by a deed of sale. Admittedly physical demarcation has not been made.

On the basis of the order passed by the learned Executive Magistrate, Kakdwip in M.F. Case No.475 of 2021, an enquiry by the police was conducted and prosecution under Sections 107 and 116(3) of the Code of Criminal Procedure was submitted against the respondent no.7. On further complaint lodged by the petitioner, Namkhana Police Station Case No.191 of 2021 dated September 16, 2021 under Sections 447/188/506/34 of the Indian Penal Code was registered against the respondent no.7. An investigation was

done. Upon completion of the investigation, a charge-sheet was submitted against the respondent no.7 vide Namkhana Police Station Charge-sheet No.176 of 2021 dated September 24, 2021.

Under such circumstances, the Court does not find that the petitioner can have any other grievance against the police authorities. The police authorities shall maintain peace.

Accordingly, the writ petition is disposed of.

However, there will be no order as to costs.

All the parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)