

23.08.2022
Sl. No.485(ML)
srm

W.P.A. No. 19787 of 2021

Kaosar Sekh @ Sekh Kaoser

Versus

The State of West Bengal & Ors.

Mr. Soumik Ganguly

...for the Petitioner.

Mr. Amitesh Banerjee,
Ms. Ipsita Banerjee

...for the State-respondents.

Affidavit-of-service is taken on record. Despite service, none appears on behalf of the respondent Nos.6 and 7.

The petitioner alleges that the respondent No.6 borrowed Rs.80,000/- from the petitioner. When the petitioner asked the said respondent to return the money, the said respondent injured the petitioner. The allegation is that the Officer-in-Charge, Khandogosh Police Station failed and neglected to take steps despite the complaint lodged by the petitioner.

The police authorities have filed a report. It appears that the complaint, which has been annexed to the writ petition, was received by post on November 22, 2021. An enquiry was made and local persons were interrogated. The matter was diarised. The petitioner went to the police station, upon being asked to produce documents like injury reports,

treatment slip, etc. The petitioner failed to produce the same. The petitioner then submitted before the police authorities that the person, who had borrowed the money, had used filthy language and threatened the petitioner with dire consequences. The matter was again diarised. As there was no element of a cognizable offence, a prayer was submitted before the learned Chief Judicial Magistrate, Burdwan under Section 155 of the Code of Criminal Procedure for permission to enquire into the matter as a non-cognizable offence. The prayer was allowed and finally a prosecution was submitted against the respondent No.6 under Section 506 of the Indian Penal Code *vide* Khandaghosh PS NCR No.433 of 2021 dated December 20, 2021.

Under such circumstances, nothing further remains to be decided in the writ petition. The police authorities have acted on the basis of their enquiry.

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.)