

08.06.2022
Sl. No.45
srm

W.P.A. No. 20783 of 2021

Sk. Imam Bari

Versus

State of West Bengal & Ors.

Mr. Subhasish Pachhal,
Mr. Siraj Goopta

...for the Petitioner.

Mr. Subhabrata Datta,
Mr. Debashis Sarkar

...for the State-respondents.

None appears on behalf of the respondent Nos.5 to 8.

The petitioner is an octogenarian. The allegation is that the respondent Nos.5 to 8, who are the relatives of the petitioner, are trying to pressurise the petitioner to transfer his lands, in their favour. Upon refusal by the petitioner, the dispute arose and the petitioner was threatened by the respondent Nos.5 to 8. Finding no other alternative, the petitioner approached the police authorities. It is submitted that the police authorities have not been able to give protection to the petitioner. The petitioner apprehends that he may be injured by the respondent Nos.5 to 8.

A report has been filed by the Inspector-in-Charge, Basirhat Police Station. The police have enquired in details and have come to a finding that the dispute is with regard to

the property of the petitioner. The petitioner had also gifted some of the properties to the respondent No.5 and the predecessors of the respondent Nos.6 to 8.

Upon further enquiry, the police authorities found that the petitioner was insulted by the respondent Nos.5 to 8 and they had hurled abuses at the petitioner. Accordingly, prosecution under Section 107 *vide* Basirhat PS NCR No.1386 dated November 21, 2021 against the respondent Nos.5 to 8 had been submitted. The RT Officer ASI Sukumar Mondal, visited the locale and directed the parties to maintain peace and tranquillity. The petitioner was also assured safety and security by the police authorities. There appears to be counter-allegations against the petitioner and his son. The police authorities have also issued a prosecution *vide* Basirhat PS NCR No.1380 dated November 18, 2021 against them. The police authorities have submitted before the Court that they shall keep a sharp vigil, to avoid any untoward incident.

Under such circumstances, the writ petition is disposed of with a direction upon the Inspector-in-Charge, Basirhat Police Station to ensure that no untoward incident takes place and all the parties maintain peace and tranquillity. Other dispute with regard to the property shall be decided by the appropriate forum.

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.)