

29.08.2022
Court No. 19
Item 526 (ML)
CP

WPA No. 20831 of 2021

Samaresh Saha
Vs.
The State of West Bengal & ors.

Mr. Asit Kr. Bhattacharya
Ms. Mousumi Biswas
...for the petitioner.

Despite service none appears on behalf of the respondents.

The petitioner alleges that the respondent nos. 4 to 9 violated the terms of the order granting anticipatory bail, and ransacked the house of the petitioner. The petitioner's learned advocate made a complaint before the police authorities, but no steps have been taken.

It does not appear from the pleadings that alleging such subsequent unlawful activity of the said respondents, the petitioner had ever approached the Inspector-in-Charge, Narendrapur Police Station. The petitioner has also not applied before the appropriate court for cancellation of the bail.

Under such circumstances, no order can be passed in the writ petition. The court is not satisfied with the allegation of police inaction. The petitioner claims to be the de facto complainant. An FIR had

been registered against the respondent nos. 4 to 9 allegedly on the basis of such complaint.

The police authorities shall ensure that the petitioner is not harmed in any way and peace is maintained.

The remedy of the petitioner before any other forum, is kept open. This court has not gone into the merits of the allegations against the respondents.

The writ petition is accordingly disposed of.

There shall be no order as to costs.

Parties are to act on the server copy of this order.

(Shampa Sarkar, J.)