

25-01-2022
ct no. 13
Sl.9
sp

WPA 20967 of 2021

Arshad Ali Molla

-Versus-

The State of West Bengal & Ors.
(Via Video Conference)

Mr. Debabrata Saha Roy,
Mr. Subhankar Das,
Mr. Neil Basu,
Mr. Soumya Nag,
Mr. Rahul Kumar Singh

...for the petitioner

Mr. Amitesh Banerjee, Id. Sr. St. Counsel,
Ms. Ipsita Banerjee

...for the State

The writ petitioner is aggrieved by a series of complaints, numbering in twelve filed as a counter blast to a complaint of embezzlement of public funds that was meant for the poor under the *Pradhan Mantri Awas Yojana*, against the private respondent, on his advice. It is submitted that the petitioner is under constant threat and is being harassed by the Sub-Inspectors of Basirhat Police Station.

Mr. Amitesh Banerjee, learned Senior Counsel appearing for the State submits that the police have only issued notices under Section 41A of the Cr. P.C. asking the petitioner to participate in the investigation in the FIRs registered against

him. In respect of one such FIR, charge sheet has already been filed.

This Court is of the view that the petitioner is obliged to participate in the investigation and respond to the notices under Section 41A of the Cr. P.C. However, in respect of any threat to the petitioner by any officials of the Basirhat Police Station, a suitable complaint may be made by the petitioner to the Officer-in-Charge immediately.

Upon receipt of any such complaint, the Officer-in-Charge, Basirhat Police Station shall immediately look into the same and take steps to protect the petitioner in accordance with law.

With the aforesaid observations, the writ petition is disposed of.

There shall be no order as to costs.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)