

29.09.2022.
Court No.13
Item No. 8
ap

W.P.A. No. 21299 of 2022

**Sanjay Das
Versus
The State of West Bengal & Ors.**

Mr. Abir Lal Chakraborti,
Mr. Aninda Sundar Das.

...For the petitioner.

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

...For the State.

Mr. Arindam Jana,
Mr. Apurba Kumar Chakraborty.

...For the respondent no.5.

Affidavit-of-service filed in Court today be taken
on record.

The petitioner complains that his son was
forcefully converted into another religion. He was able
to secure his son back and reconverted him back to
his original religion.

Counsel for the petitioner submits that other
villagers belonging to another religious denomination
have forcefully entered into his property and are using
the same.

The Upa-Pradhan of the village belonging to the
same religious community as the petitioner is
represented.

The Tamluk Police Station has also made
submissions in Court. It is stated that the petitioner's

son had a love affair with a minor girl of a different religious community and had a physical relations with her. It is further submitted that on a complaint of the minor girl and her parents, an FIR has been registered being Tamluk Police Station Case No.705 of 2022 dated 10th August, 2022 under Sections 376(3)/506 of the Indian Penal Code and Section 6 of the POCSO Act. It is also submitted that the investigation is on and the victim's statement under Section 164 of the Code of Criminal Procedure has been recorded.

Counsel for the Upa-Pradhan submits that there is absolutely no religious tension in the area now. It is further submitted that the petitioner approached the Upa-Pradhan of the concerned village to facilitate a settlement, which he refused.

Having heard the learned Counsel appearing for the respective parties, this Court has reason to believe that an attempt has been made by the petitioner to give a religious colour to a purely private dispute and/or a crime registered pending investigation.

The investigation into the aforesaid First Information Report being Tamluk Police Station Case No.705 of 2022 dated 10th August, 2022 shall be conducted aggressively by the Tamluk Police Station.

Let a report in final form be submitted before the jurisdictional Additional Chief Judicial Magistrate

mandatorily and positively within two months from date.

To dispel any apprehension and to give some benefit of the doubt to the petitioner, Tamluk Police Station shall ensure that there is absolutely no breach of peace in the area and shall maintain a regular vigil thereat.

It shall be ensured that the enjoyment of his property by the petitioner is not interfered with.

The writ petitioner, however, is warned against any such misadventure and misleading submissions to the Court in future.

With the aforesaid directions, the instant writ petition shall stand disposed of.

There will be no order as to costs.

All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)