

23-11-2022
ct no. 13
Sl.19
pk

WPA 23178 of 2022

Abdul Gani Sk.

-Versus-

The State of West Bengal & Ors.

Mr. Saurabh Guhathakurata,
Ms. Rituparna Ghosh,
Mr. Sourav Sarkar,
Mr. Nilanjana Sarkar,
Ms. Prabhleen Bharara

....for the petitioner

Mr. Pantu Deb Roy,
Mr. Anand Farmania

...for the State.

The petitioner is aggrieved that despite a complaint of lawful restraint, threat, intimidation and extortion, Khardaha Police has not registered FIR. Admittedly, the petitioner's complaint discloses cognizable offences. It is true that the petitioner ought to have approached the Magistrate under Section 156(3) of the Cr. P. C. Inaction on the part of the Khardaha Police Station is writ large.

Khardaha Police shall register an FIR in respect of the petitioner's complaint. The private respondents as well as the petitioner submit that a sum of money worth Rs.7.5 lakhs was taken by the petitioner for promising the private respondents a government job. The same amounts to a bribe where the giver as well as the taker are equally guilty of offences.

The petitioner and the respondents deny the allegations made against one and another.

Be that as it may, since the Khardaha Police Station has registered FIR on the complaints of the private respondents, let the investigation of the two FIRs be completed within a period of three months from date.

The parties may avail other civil remedies as may be available to them in law.

Instructions of the Khardaha Police Station is taken on record.

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

There will 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.)