

12
22.12.2022
ssi

Ct 39

WPA 26919 of 2022

Imran Khan.

-vs-

State of West Bengal & ors.

Mr. Malay Bhattacharyya
Mr. Dibakar Sardar
Mr. Subhrajyoti Ghosh
...for the petitioner

Ms. Chama Mookherji
Ms. Paromita Pal
..for the State

This is an application under Article 226 of the Constitution of India, inter alia, praying for direction upon the respondent authorities, particularly the respondent no.3, to inquire into the matter and submit a report and take steps in terms of the petitioner's representation against the respondent no.6 for restraining and harassing the petitioner in his family members.

Affidavit of service filed on behalf of the petitioner is taken on record.

A fresh report filed on behalf of the State is also taken on record.

Despite service, no one appears on behalf of the respondent no.6, although the State is represented.

Learned counsel appearing on behalf of the petitioner

submits as follows. Earlier the petitioner was made an accused in a case, inter alia, under the Explosive Substances Act. He obtained bail in the same. However, after this, another officer of the concerned police station being the respondent no.6 herein started harassing him on some pretext or the other. The petitioner was often needlessly picked up by the police. The respondent no.6 continuously threatens that another criminal case would be started against the petitioner. However, it has been learnt that this particular officer has been transferred to another police station.

Learned counsel appearing on behalf of the State relies a report and submits as follows. In respect of the other case, charge sheet has already been filed and the same is proceeding independently. So far as the present allegation of the petitioner is concerned, the Inspector in Charge of Titagarh Police Station had a talk with the concerned officer and the officer denied harassing the petitioner. However, without prejudice, it is made clear that no such action of harassing the petitioner or any of his family members shall be undertaken by any officers of the police authority. If a complaint is filed by the petitioner in this regard, prompt action would be taken in this respect.

I have heard the submissions of the learned counsels appearing on behalf of the parties and have perused the writ petition and the reports filed.

It appears that some incident might have prompted

the petitioner to approach this Court with this petition. However, it is categorically stated by the Inspector in Charge of Titagarh Police Station that no such incident would be repeated, if at all, any such incident had actually happened.

In the event the petitioner entertains such apprehension or goes through such an experience of harassment again, he shall be at liberty to file a complaint before the concerned police station and an appropriate and prompt action would be taken in this regard by the police.

The police is directed to keep a vigil and maintain a peace at the place.

With these directions, the writ petition is disposed of.

Urgent photostat certified copies of this order may be delivered to the learned Advocates for the parties, if applied for, upon compliance of all formalities.

(Jay Sengupta, J.)