

SI No.42
28.02.2022.
SB-II

**Calcutta High Court
In the Circuit Bench at Jalpaiguri
Appellate Jurisdiction**

**WPA 149 of 2022
Dr. Nilay Saha
-versus
The State of West Bengal & Ors.**

Mr. Debajit Kundu
... for the petitioner.

Mr. Hirak Barman
Mr. Momenur Rahman
... for the State respondents.

The petitioner alleges that the complaint lodged by him before the police has not been enquired.

Learned advocate representing the State respondents submits, upon instruction, that on receipt of a complaint from the petitioner through post on December 1, 2021 against one Mrs. Kakuli Bhowmik and 114 others the same was diarized vide Alipurduar PS GDE No. 20 & 32 dated December 1, 2021.

During enquiry it was revealed that no such incident, as alleged by the petitioner, regarding assault and threat ever happened on October 5, 2021 in Alipurduar Court premises. The allegation made by the petitioner was found to be not substantiated against the police. The police took sufficient appropriate action on receipt of the complaint through post. The Enquiry Officer warned the OP members not to disturb the

petitioner and to maintain peace and tranquility in the area.

The petitioner has averred in the writ petition that a civil case is pending between the petitioner and some of the persons mentioned in the complaint.

As it appears that the police have already enquired into the complaint lodged by the petitioner, no further order is required to be passed in the instant writ petition. The same stands disposed of.

The instruction given by the Inspector-in-Charge, Alipurduar Police Station dated January 30, 2022 is taken on record.

Urgent photostat certified copy of this order, if applied for, be given to the parties after completion of all legal formalities.

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(Amrita Sinha, J.)