

05-04-2023
ct no. 13
sl. 354
sp

WPA 56 of 2022
Nur Mohammad Kayal
-Versus-

The State of West Bengal & Ors.

Mr. Sarthak Burman
...for the petitioner

Mr. Lalit Mohan Mahata
Mr. Prasanta Behari Mahata
...for the State

Mr. Sandip Kundu,
Mr. Shibasis Chatterjee
...for the respondent nos. 6 & 8

Affidavit of service filed in Court today is taken
on record.

The petitioner complains of alleged inaction by
the Dholahat Police Station, South 24 Parganas in
respect of theft by the private respondents.

The Dholahat Police Station has filed a report
dated 05.04.2023, which is taken on record.

It appears from the report that the dispute
between the petitioner and the private respondents
is arising out of a land. A civil suit being T.S. No. 30
of 2020 is pending before the learned Civil Judge (Jr.
Division) at Kakdwip, filed by the petitioner for
permanent injunction.

On complaints received by the petitioner and the private respondents against one another, FIR being Dholahat PS CS No. 14/23 dated 19.01.2023 under Sections 447/325/354/506/34 of the IPC has been filed. Prosecution has also been filed under Section 107 of the Cr. P.C. Another charge sheet being Dholahat PS CS No. 226/19 dated 21.08.2019 under Sections 448/427/506/34 of the IPC has also been filed against the petitioner.

The Dholahat Police Station indicates that the petitioner himself is a dangerous, desperate and notorious person.

This Court, therefore, does not find any inaction on the part of the Dholahat Police Station.

The Dholahat Police Station shall, however, ensure that there is absolutely no breach of peace in the area.

With the aforesaid observations, the instant writ petition shall stand 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.)

