

16.05.2023
Court No.13
Item No.17
AP

WPA 5234 of 2023

**Abu Bakkar Siddik and Anr.
Vs.
The State of West Bengal and Ors.**

Mr. Partha Sarkar

... For the Petitioners.

Mr. Ansar Mondal
Ms. Srilekha Bhattacharyya

... For the State.

1. Affidavit of service filed in Court today is taken on record.
2. The petitioners complain of alleged inaction on the part of the Gangarampur Police Station in respect of complaints dated 23rd November, 2022 and 15th March, 2023 against the private respondents.
3. There is also a civil suit being TS No.171 of 2022 now pending before the learned Civil Judge (Junior Division), Gangarampur at Buniadpur. There is an order of injunction passed by the civil court.
4. The petitioners may obtain appropriate orders on the police from the Civil Court in this regard.
5. Gangarampur Police shall strictly comply with any orders that may be passed on them by the Civil Court.
6. In so far as the allegation of non-registration of FIR in respect of the complaints of the petitioners, the petitioners may move before the concerned magistrate under section 156(3) of the CrPC.

7. Learned counsel for the State has produced a report in the form of instructions issued by the Inspector-in-Charge, Gangarampur Police Station, Dakshin Dinajpur addressed to the learned State Advocate and the same is taken on record.

8. It appears from the report that Gangarampur Police has taken out proceedings under section 107 of the CrPC.

9. There is also an order of Executive Magistrate, which shall be strictly enforced by the Gangarampur Police.

10. Gangarampur Police shall, however, ensure that there is absolutely no breach of peace in the area.

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

12. There shall be no order as to costs.

13. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)