

03-07-2023

ct no. 13

sl. 20

pk

WPA 7875 of 2023

Piyas Roy

-Versus-

The State of West Bengal & Ors.

Mr. Tapan Roy

...for the petitioners

Mr. Asim Kr. Ghosh,
Mr. Subrata Dasgupta

...for the State

Mr. Arkadyuti Pahari,
Mr. Supratik Jana,
Mr. Kaustav Das,
Mr. Gaurab Das

...for the private respondents

1. The petitioner alleges inaction on the part of the Baranagar Police Station in respect of a complaint against the landlord/private respondent. The petitioner has complained to the ACJM, Barrackpore based on which Baranagar PS Case No. 328 dated September 8, 2019 has been registered.
2. The police have conducted an appropriate investigation. The petitioner has not produced any document. "Final Report is False" being F.R.F. No. 51 of 2020 dated 31.05.2020 has been filed.
3. The de facto complainant had been informed in 2020.

4. This Court is of the view that the petitioner is guilty of suppression of material fact and/or misstatement thereof. FIR was registered at the instance of the Magistrate.
5. The last complaint of the petitioner was dated March 4, 2023 which most likely was a precaution to the instant writ petition.
6. The petitioner is warned against any frivolous litigation of this nature in future.
7. In the event, any such further complaint is made, notice of exemplary and penal costs are given to the petitioner.
8. This Court is of the view that the dispute between the petitioner and the private respondents is purely civil in nature.
9. The Baranagar Police shall ensure that there is no breach of peace in the area.
10. With the aforesaid observations, the writ petition shall stand disposed of.
11. There shall be no order as to costs.
12. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)

