

Sl.01 07.07.2023
NB Ct. 14

WPA 11933 of 2023

Md. Mottakin Alam
Vs.
The State of West Bengal & Ors.

Mr. Sougata Mitra,
Mr. Rameshwar Sinha,
Ms. Salma Sultana,
Ms. Sweta Saha.
...for the petitioner.

Mr. Amitesh Banerjee,
Mr. Tarak Karan.
....for the State.

This is an application under Article 226 of the Constitution of India, inter alia, praying for a direction upon the respondent authorities to restore security cover to the petitioner and to provide at least two security personnel owing to threats and attacks on the petitioner.

Report filed on behalf of the State is taken on record.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is a former Member of Legislative Assembly belonging to an opposition political party. He is now the Chairman of the Malda District Minority Community Cell as well as the General Secretary of Malda District Committee of the said party. Over a period of time, he has been attacked by the goons of the ruling party. Somehow, he survived those attacks. Earlier, police protection had been granted to him. But, considering the constant attacks and

threats, the petitioner applied before the concerned authority for police protection, which was unfortunately denied.

Learned counsel representing the State relies on the report and submits as follows. The representation of the petitioner for providing security has been considered and it has been found that there is no requirement for providing personal security to the petitioner. The local Inspector-in-Charge has been instructed to ensure that the RT mobiles of the police station frequently visit his neighborhood and also collect intelligence about threat to his security. The District Intelligence Branch, Malda also been directed to keep a close watch over the area.

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

It appears that the representation made by the petitioner for personal security has been considered by the respondent authorities. At this stage, it does not appear that any armed personal security need be provided to the petitioner.

However, the respondent authorities shall keep a strict vigil at the locality and ensure that no untoward incident takes place or any harm to the present petitioner. The respondent authorities shall continue to take the steps they are engaging for providing an overall security cover to the present petitioner.

If cognizable is made out of any of the complaints made by the petitioner, the respondent authorities shall take those into consideration as to whether to register an FIR or not.

With these observations, the writ petition is disposed of.

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J.)