

September 12, 2023
AD 5
Court No.14
SG

WPA 15081 of 2023

Swapan Kumar Baidya

vs.

The State of West Bengal and others

Mr. Sukanta Ghosh

... for the petitioner

Mr. Pantu Deb Roy

Mr. Jaladhi Das

... for the State

Ms. Megha Datta

Mr. Neel Chakraborty

... for the respondent No.4

Learned advocate for the petitioner submits as follows. The petitioner and the private respondents all reside in separate houses situated in the same compound. These constitute their ancestral property. One night, the petitioner sensed a smoke coming out, went out and found that the private respondents were running away from the place. The petitioner's house was set on fire. The petitioner lodged a complaint to the local police station. But, no copy of the FIR was handed over to the petitioner. The police are now trying to compel the petitioner to sit with the other side for a settlement.

Learned advocate for the State relies on the report dated 13.07.2023 and submits as follows. A case was started at the behest of the petitioner. However, there is also a case lodged from the other side. Both the cases are being investigated.

Learned advocate for the respondent No.4 submits that it was her client who was actually at the receiving

end. For this, he was compelled to lodge an FIR which is now being investigated.

It appears from the report of the State that soon after the incident the present petitioner lodged an FIR which was registered under Section 436 read with Section 34 of the Code and is under investigation.

It also appears that few days later, on 09.07.2023 one Jayanti Baidya also submitted a written complaint. An FIR was registered and is being investigated.

The investigating officers would investigate the two cases expeditiously and in accordance with law.

With these observations, the writ petition is disposed of.

Urgent certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

[Jay Sengupta, J.]