

17.07.2023

rpan/10

WPA 15118 of 2023
Tabrej Ali Saha @ Shah
– *Versus* –
The State of West Bengal & Others

Mr. Kamalesh Bhattacharya,
Mr. S. P. Pahari,
Mr. A. Pradhan,
Mr. T. K. Mahapatra
... for the Petitioner.

Mr. Suddhadev Adak,
Ms. Arpita Mondal
... for the State.

Mr. Soumen Kumar Dutta,
Mr. Sabyasachi Bhattacharjee
... for the Respondent nos.7-

11.

This is an application under Article 226 of the Constitution of India *inter alia* praying for directions on the police authorities to grant police protection in favour of the petitioner and his family members and to take effective steps in connection with the Marishda Police Station Case No.66 of 2023.

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

Learned senior counsel representing the petitioner submits as follows. The petitioner's vehicle met with an accident, which resulted in the death of another. A case was started against him. He is released on bail. However, the private respondents assaulted the petitioner physically, with lathi, iron rod and other weapons and snatched away valuable gold chain and forcibly took away signature on a stamp paper

promising to pay Rs.5,00,000/-. The petitioner was constrained to file an application under Section 156(3) of the Code. In spite of seeking report by the learned Magistrate, no positive development took place. Even thereafter, the petitioner was harassed and assaulted. Out of fear he went to lodge a complaint before the Contai Police Station, but no action was taken on that.

Learned Counsel appearing for the private respondents submits as follows. On the complaints made by the petitioner appropriate steps have already been taken. FIR was registered. The private respondents are on bail in that case. The petitioner is raising the issues only to shift the focus from the offence committed by him.

Learned counsel appearing on behalf of the State submits as follows. Police have already taken appropriate steps in respect of the grievances ventilated by the present petitioner. In the case started by the petitioner not only an FIR was registered, soon thereafter chargesheet was also submitted.

I have heard the submissions made of behalf of the parties, perused the writ petition and the report filed on behalf of the State.

It does not appear that any case is made out for intervention by this Court as the police have already taken steps. However, Contai Police Station shall keep

a strict vigil at the locale and see that no harm is done to the petitioner.

With the above observations, the writ petition is disposed of.

There shall, however, be no order as to costs.

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

(Jay Sengupta, J.)