

30.06.2023.
Court No.13
Item No.16
pk

W.P.A. No. 15262 of 2023

**Amjad Ali
Versus
The State of West Bengal & Ors.**

Mr. Anindya Ghosh,
Mr. Apurba Ghosh.

...For the petitioner.

Mr. Amitesh Banerjee,
Mr. Suddhadev Adak

...For the State.

1. Affidavit of service filed in Court is taken on record.
2. The petitioner is a candidate in the forthcoming Panchayat Election. The respondent no. 10 is his campaigning agent. He has complained to the Pukhuria Police Station on 27.06.2023 against threat and intimidation from the respondent nos. 5 to 9.
3. Admittedly, there are about 27 criminal cases against the respondent no. 6 and there are cases against the respondent nos. 5, 7, 8 and 9.
4. Warrant of arrest against the respondent no. 6 and order of proclamation and attachment have also been obtained.
5. Counsel for the State submits that despite serious efforts, the said respondent nos. 5 to 9 could not be apprehended and they are absconding. The allegation of the petitioner against the said respondents cannot be countenanced, according to

- the counsel for the State, as the moment they entered into the village, they would be apprehended under the warrant pending against them.
6. In reply, counsel for the petitioner would argue that the said persons are freely roaming in the area.
 7. This Court directs the petitioner to visit the O. C., Pukhuria Police Station and place his representation dated 27.06.2023. The whereabouts of the respondent nos. 5 to 9 may also be indicated to the O. C., Pukhuria in writing separately.
 8. Based on the representation of the petitioner, the O C., Pukhuria Police Station may take an appropriate decision with regard to the security to the petitioner and the respondent no. 10.
 9. If the threat perception is established, appropriate security may be afforded to the petitioner and the respondent no. 10.
 10. Since the petitioner apprehends that the private respondents may lodge complaints against the petitioner, the respondent no. 10 and their associates to prevent them from participating in the election process, no coercive measures shall be taken against the petitioner, the private respondent no. 10 and their supporters in respect of any FIR until 15th July, 2023.
 11. The writ petition is disposed of.
 12. There will be no order as to costs.

13. All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)