

25 20.07.2023
NB Ct. 14

WPA 16336 of 2023

Ahibhusan Kabiraj
Vs.
The State of West Bengal & Ors.

Mr. Keshab Chandra Das,
Ms. Aparajita Mondal,
Mr. Biplab Adak.
...for the petitioner.

Mr. Amal Kr. Sen, Id. AGP,
Mr. Lal Mohan Basu.
....for the State.

This is an application under Article 226 of the Constitution of India praying for a direction upon the respondent authorities to take steps on the written complaints of the petitioner dated 16.06.2022 and 26.06.2023.

Affidavit of service filed on behalf of the petitioner is taken on record.

Despite service, no one appears on behalf of the private respondents.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner along with his brother and sister-in-law as well as some others jointly purchased a property in 1955. On 08.06.2023, the private respondents jointly attacked the petitioner and tried to grab the property in question. The petitioner rushed to the police station and lodged a complaint dated 16.06.2022. The petitioner made a further complaint to the Superintendent of Police, Purba Bardhaman on 26.06.2023. In spite of this, no steps were taken by the police authorities.

Learned counsel appearing on behalf of the State relies on the report and submits as follows. On the basis of the complaints lodged by the petitioner, the police have already started Jamalpur Police Case No.223 of 2023 dated 17.07.2023 under Sections 341, 323, 325 and 506 read with Section 34 of the Penal Code. The FIR named accused surrendered before the learned Trial Court and were granted bail.

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

It appears that the petitioner's prime grievance of police inaction on the basis of complaints has already been redressed and an FIR has been registered and is being investigated.

However, the respondent authorities shall also maintain a close vigil at the locale and ensure that no harm or breach of peace takes place.

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.)