

22.08.2023

17

SS

W.P.A. 17978 of 2023

Dipayan Tarafdar

Vs.

**The Chief Secretary, Government of West
Bengal & ors.**

Mr. Aryak Dutt

Mr. Arindam Das

... for the petitioner

Mr. Somnath Ganguli, Ld. AGP

Mr. Balarko Sen

... for the State

This is an application under Article 226 of the Constitution of India praying for direction upon the respondent authorities to properly conduct investigation on the F.I.Rs. lodged by the petitioner and to restrain the private respondent no.6 from committing any illegal activities.

Affidavit of service filed on behalf of the petitioner is taken on record. Despite service, none appears on behalf of the private respondent.

Report filed on behalf of the State is also taken on record. Copy of the same is handed over to the learned Counsel for the petitioner.

Learned Counsel appearing on behalf of the petitioner submits as follows. The petitioner is a gynecologist who was treating the wife of the respondent no.6. On 4.7.2022 a child was delivered at the petitioner's clinic. The mother and the child were released.

Subsequently, the mother developed a problem in her Pancreas and she had to be treated in South India where she passed away on 19.10.2022. After this, the respondent no.6 and his other associates started threatening and intimidating the petitioner. On certain occasions they attacked the house of the petitioner and looted away the articles. As a result, the petitioner was constrained to file two complaints before the police, which were not being investigated properly. Thereafter, the private respondent and his associates have continued to commit such mischief and they are roaming around and are causing hindrance to the petitioner from carrying on his practice at his clinic.

Learned Counsel appearing on behalf of the State relies on the report and submits as follows. Both the F.I.Rs. lodged by the petitioner being F.I.R. No.1428/22 dated 23.10.2022 and F.I.R. No.1454/22 dated 28.10.2022 have ended in charge-sheets. In the first matter three accused absconded and in the second case two accused were arrested. The police authorities are keeping a watch over the locality.

I have heard learned counsels for the parties and have perused the writ petition and the report filed by the State.

It appears that the police authorities have already investigated the two cases lodged by the petitioner and

both the cases have been ended in charge-sheets. In the second case two accused were arrested.

Therefore, no case of police inaction is made out in this writ petition.

However, the police shall keep a sharp vigil at the locale and ensure no breach of peace takes place.

With these observations, the writ petition is disposed of.

Urgent Photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Jay Sengupta, J.)