

18-04-2023
ct no. 13
sl. 20
sp

WPA 18786 of 2022

Pranab Aich

-Versus-

The State of West Bengal & Ors.

Sk. Toslim Ali,
Ms. Saba Parween

...for the petitioner

Mr. Gourav Das

...for the State

Mr. Tarak Nath Halder,
Mr. Sagnik Chatterjee

....for the Private respondents

1. The petitioner complains of alleged inaction on the part of the Tangra Police Station.
2. Counsel for the State produces a report in the form of instruction issued by the Officer-in-Charge, Tangra Police Station, addressed to the learned State Advocate dated 17.04.2023, which is taken on record.
3. It appears from the report that the petitioner and the private respondents are brother and sisters. There is a civil suit with regard to the property in question being T.S. No. 76 of 2020, pending before the learned Civil Judge (Sr. Division) at Sealdah. The suit is for partition filed by the sisters against the petitioner/brother.
4. FIRs have been registered by the Tangra Police Station. Investigation has been completed and the

same has resulted in two charge sheets, namely, 54 of 2020 and 63 of 2020.

5. Further FIR being Tangra P.S. Case No. 145 dated 23.05.2021 has also been registered by the Tangra Police Station. Investigation has been completed and charge sheet being Tangra P.S. Case No. 145 dated 23.05.2021 and Tangra P.S. Case No. 146 dated 24.05.2021 have been filed.
6. There is also FIR being Tangra P.S. Case No. 179 dated 17.06.2021 which has resulted in charge sheet being Tangra P.S. C.S. No. 29 of 2022 dated 03.03.2022. The last complaint against the petitioner is by one Sefali Aich, who is the private respondent, which has been registered as FIR being Tangra PS Case No. 74 dated 28.03.2023. A further complaint has been registered as FIR being Tangra PS Case No. 85 dated 09.04.2023.
7. This Court is of the view that the family members have been using the Tangra Police Station as a punching bag. The petitioner has not come to Court with clean hands and is guilty of abuse of process of law.
8. The writ petition arises out of a purely civil dispute with regard to the property and the division thereof.
9. In the aforesaid circumstances, the petitioner shall pay costs assessed at Rs. 11,000/- to the Tangra

Police Station within a period of 10 days from date.

In default of payment of costs, the Tangra Police shall be entitled to recover the same from the petitioner under the Bengal Public Demand Recovery Act, 1913.

10. For non-payment of costs by the petitioner, all charge sheets registered at their instance, shall remain stayed until such payment is done.
11. With the aforesaid observations, the instant writ petition shall stand disposed of.
12. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)