

09.02.2023.
Court No.13
Item No. 31
ap

W.P.A. No. 19652 of 2022
Sujit Sarkar
Versus
The State of West Bengal & Ors.

Ms. Ankita Dey.

...For the petitioner.

Affidavit-of-service filed in Court today be taken on record.

The petitioner complains that the private respondents are threatening and intimidating him despite having been enlarged on bail in connection with Habibpur Police Station Case No. 198 of 2021 dated 9th July, 2021.

The report of the Officer-in-charge, Habibpur Police Station dated 15th January, 2023 in the form of instructions addressed to the Government Pleader, High Court, Calcutta is kept with the record.

It appears from the said report that investigation has been completed and charge-sheet No. 276 of 2021 dated 5th September, 2021 has been filed.

These facts have been recorded in an earlier proceeding filed by the petitioner being W.P.A. No. 9635 of 2022 in the order dated 5th July, 2022.

Since the petitioner is the de facto complainant, any violation of any conditions for bail or violence on the part of the accused person can be addressed by the petitioner applying for cancellation of bail.

For the aforesaid purpose, the petitioner may lodge a formal complaint with the Habibpur Police Station, Malda.

In the event, the petitioner applies for any protection from the police, the Inspector-in-charge, Habibpur Police Station, Malda shall assess the threat perception to the petitioner and take steps to protect the petitioner immediately.

The directions of a Co-ordinate Bench of this Court on the Habibpur Police Station, Malda to keep a sharp vigil and ensure that the parties do not engage in further altercations over the issue of cultivation shall be complied with.

With the aforesaid directions, the instant writ petition shall stand disposed of.

There will be no order as to costs.

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.)