

10.05.2023
Sl. No.66(DL)
srm

CPAN 906 of 2022
In
W.P.A. No. 683 of 2022
Kalyani Mondal & Anr.
Versus
Prasanta Das & Ors.

Mr. Golam Karim
...for the Applicants/Petitioners.

Sk. Md. Galib,
Mr. Gourav Das
...for the Alleged Contemnors.

The applicants allege that the police authorities did not comply with the order of the learned Executive Magistrate passed in a proceeding under Section 144(2) of the Code of Criminal Procedure.

The said proceeding is distinct and separate from the proceedings which had been initiated before this Court. This Court had recorded that the police authorities had intervened in the dispute over the land and had submitted prosecutions under Sections 107 and 116(c) of the Code of Criminal Procedure.

The writ petition was disposed of with a direction upon the Officer-in-Charge, Sundarban Coastal Police Station to ensure that law and order is maintained.

The averments in the contempt application do not indicate that the police authorities failed to comply with the order of the Court. Subsequent causes of action, cannot be adjudicated in a contempt proceeding.

The report filed by the Officer-in-Charge, Sundarban Coastal Police Station, indicates that on the basis of the complaints filed by the petitioners, several non-cognizable reports had been filed and an FIR had also been registered on January 5, 2023. Upon completion of the investigation, charge sheet had been submitted against the accused persons. The report is taken on record.

Accordingly, the contempt application is disposed of. The contempt proceedings are dropped.

(Shampa Sarkar, J.)