

56 16.11.2023
NB Ct. 14

WPA 22258 of 2023

Subal Das
Vs.
The State of West Bengal & Ors.

Mr. Gouranga Kumar Das.
...for the petitioner.

Mr. Suman Sengupta Sr. Govt. Adv.,
Mr. Dwaipayan Basu Mallick.
...for the State.

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

Report filed on behalf of the State is also taken on record.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner was a candidate in the last Panchayat Elections. He belongs to an opposition political party. After the elections were over, he was subjected to immense torture by the local miscreants belonging to the ruling political dispensation. As such, he had to lodge complaints so that he could return with the help of police. However, the miscreants attacked and damaged his shop room. In fact, he has been forced to keep the shop room closed in fear of further attacks.

Learned counsel appearing on behalf of the State relies on the report and submits as follows. Actions have been taken on the complaints made by the petitioner. FIRs were lodged. They are being investigated into. In fact, the police had given help to the petitioner to return back home.

It is unfortunate that if one stands in an election for an opposition political party, he may be subjected to such harassment and torture as mentioned above. It is the duty of the State to protect the life and property of the victims, especially in such cases.

Let the petitioner intimate the date and time on which he intends to open his shop room to the Officer-in-Charge of Kakdwip Police Station with a 24 hours' notice. In such event, the police authorities shall depute adequate number of police personnel to oversee the opening of the shop room.

Even thereafter, the respondent police authorities shall keep a sharp vigil at the locale and ensure that no breach of peace takes place.

In the event any untoward incident occurs or is apprehended by the petitioner, he shall be at liberty to call up the Officer-in-Charge of the local police station and inform him about the same who shall then act in accordance with law.

With these observations, the writ petition is disposed of.

Urgent certified copy of this order may be given to the parties expeditiously, if applied for.

(Jay Sengupta, J.)