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16.11.2023
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Ct 14

WPA 22359 of 2023

Jitendra Nath Shit
-vs-
State of West Bengal & ors..

Mr. Arup Kundu
...for the petitioner
Mr. Suman Sengupta
Mr. Sanatan Panja
....for the State

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

It appears that two of the private respondents had moved on.

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 is the owner of the land in question. He has also purchased an another piece of land for ensuring a better egress and ingress. The BL & LRO had affirmed his ownership of such property. Despite this, the private respondents have been disturbing the peaceful possession and enjoyment of the property by the petitioner. A complaint was made after the private respondents demolished a boundary wall belonging to the petitioner. But investigation is not being done properly.

Learned counsel for the State relies on the report and submits as follows. Bankura Police Station Case No. 198 of 2023 was registered on the petitioner's complaint. During investigation, several witnesses were examined. But, the complainant was unable to provide the CCTV footage concerned. However, a charge sheet was submitted being charge sheet no. 214 of 2023 dated 26.07.2023 under Sections 143, 448, 323, 354, 379, 506 , 427 and 34 of the Indian Penal Code against six accused persons has mentioned.

It appears that the Investigating Agency has not only registered an FIR on the complaint of the petitioner but also submitted a charge sheet.

If the petitioner is aggrieved with the outcome of investigation, he shall be at liberty to file a protest petition before the learned trial Court.

No further order need be passed in this regard.

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.)