

November 30, 2023
AD 26
Court No.14
SG

WPA 23188 of 2023

Putul Gupta @Putul Chowdhury (Gupta)
vs.
The State of West Bengal and others

Mr. Avinaba Patra
... for the petitioner
Mr. Suman Ghosh
Ms. Debleena Dasgupta
... for the State

Mr. Baidurya Ghosal
Mr. Dipankar Ghosh
... for the respdt Nos.7, 8, 13 and 14

Mr. Mrityunjoy Chatterjee
... for the respdt Nos.6, 9, 10 and 11

Affidavit of service filed in Court is taken on record.

Report filed by the State is also taken on record.

Learned advocate for the petitioner submits as follows. There was a dispute over installation of water connection in the village. The private respondents and others in a pre-planned manner, attacked the petitioner with deadly weapons. The petitioner was seriously injured and he had to be hospitalised. Although an FIR was registered, inter alia, under Section 326 of the Penal Code, no charge under Section 307 of the Penal Code was imputed. After all these, the private respondents and their men and agents are threatening the petitioner. The petitioner has four minor daughters. The private respondents are threatening to commit sexual assault upon them.

Learned advocates for the appearing respondents deny the allegations made in the writ petition and submit

that taking advantage of the ruckus over water connection in the village, the petitioner is trying to falsely implicate the private respondents in a criminal case.

Learned advocate for the State submits that the police have acted promptly on the allegations made by the petitioner. An FIR was registered and a charge-sheet has also been submitted in time. The principal accused was arrested and seven others obtained bail. But, one other accused has remained absconding.

It appears that on the allegations made by the petitioner, an FIR was registered and a charge-sheet has been submitted.

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

So far as the allegations of threats are concerned, the police shall take the same seriously. If any complaint is made by the petitioner, the police should look into the matter about whether a fresh case needs to be registered.

Even otherwise, the police shall keep a sharp vigil at the locale and ensure that no harm is done to the petitioner or his family members. The vigil shall include sending frequent police patrols in the area.

With these observations, the writ petition is disposed of.

Urgent certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

[Jay Sengupta, J.]