

21 18.12.2023
NB Ct. 14

WPA 23648 of 2023

Rumu Saha Ghosh
Vs.
The State of West Bengal & Ors.

Mr. Dhananjay Banerjee,
Mr. Jisan Iqbal,
Ms. Oindrila Ghosh.
...for the petitioner.

Mr. Ansar Mandal Id. AGP,
Mr. Asish Dutta,
Md. Idrish.
....for the State.

Mr. Kajal Mukherjee,
Mr. Saptarshi Dutt.
..for the respondent nos.7,8&9.

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. On the allegations made by the petitioner, a case was started, but under lesser charges and Section 307 of the Penal Code was not imputed. This was objected to, but the police had taken no steps. Furthermore, after the complaint was made by the petitioner, the private respondents started harassing and threatening the petitioner. Complaints were made to the police, but no action was taken.

Learned counsel appears on behalf of the private respondent nos.7 to 9 submits as follows. The private respondents vehemently deny that they had been threatening

the petitioner at all. This is only a ploy to have the private respondents' bail cancelled.

Learned counsel appearing on behalf of the State relies on the report and submits as follows. A charge sheet has been submitted in this case under Sections 341, 325, 354 and 34 of the Penal Code. Upon subsequent complaints made by the petitioner, a proceeding has also been initiated under Section 107 of the Code.

It appears that a charge sheet has also been submitted in this case without incorporating a charge of Section 307 of the Penal Code. The petitioner shall be at liberty to ventilate his grievances in respect of the same by filing a protest petition before the learned Trial Court.

So far as the complaints of subsequent harassments and threats are concerned, a proceeding has also been initiated under Section 107 of the Code.

However, the police shall also keep a sharp vigil at the locale and ensure that no harm is done to the petitioner/complainant.

Let the surveillance include sending frequent police patrols in the area.

With these observations, the writ petition is disposed of.

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

(Jay Sengupta, J.)