

December 12, 2023
AD 25
Court No.14
SG

WPA 23682 of 2023

Niranjana Kumar Mandal
vs.
State of West Bengal and others

Mr. A.H. Molla
...for the petitioner

Mr. Suman Sengupta
Mr. D.B. Mallick
... for the State

Mr. Amit Singh
Mr. P.K. Singh
Mr. P. Maity
... for the private respondents

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. The petitioner is the owner of the property in question. The private respondents forcibly entered into the petitioner's property in order to grab it. They abused and assaulted the inmates including the women present there. When the petitioner went to complain before the police station, the Officer-in-Charge asked him to settle the matter or else, he would be implicated in a case under the NDPS Act. No steps have been taken on the petitioner's complaint.

Learned advocate for the private respondents submits as follows. The allegations made in the writ petition are denied. The respondent No.17 is the wife of the petitioner. Prior to all these, she had filed an FIR

against the petitioner and others, inter alia, under Sections 498A and 313 Penal Code. She had to leave the place after collecting her stridhan with the help of the local police. The present complaint is a counter-blast against the steps taken by the respondent No.17.

Learned Advocate for the State relies on the report and submits as follows. On the complaint of the petitioner, an FIR has been registered. However, it appears that both the parties belong to the same community.

It appears that a dispute had existed between the petitioner and the private respondents even prior to the present incidents. The respondent No.17 had registered an FIR, inter alia, under Sections 498A and 313 of the Penal Code.

Let both the matters be investigated expeditiously and in accordance with law.

The police shall keep a sharp vigil at the locale and ensure that no breach of peace takes place.

As affidavits were not called for, the allegations made are deemed not to have been admitted.

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.]

