

05-06-2023
ct no. 13
Sl. 284
pk

WPA 25263 of 2022

Sabir Mallick

-Versus-

The State of West Bengal & Ors.

Mr. Dhananjay Banerjee

Ms. Oindrila Ghosh

... for the petitioner

Sk. Md. Galib,

Ms. Jyotsna Roy Mukherjee

... for the State.

1. Affidavit of service filed in Court is taken on record.

2. The petitioner is aggrieved that his complaint dated 28.09.2022 to the Singur Police Station has not been registered. The petitioner has alleged that one Manab Das, SI of Singur Police Station and the private respondents have assaulted the petitioner's employees and have taken away 5 quintal of fish from the fishery valued about Rs. 1 lakh.

3. When the petitioner visited the Police Station next day, fishes had already been sold and misappropriated. The petitioner was also roughed up.

4. Mr. Galib, learned counsel appearing for the State submits that there is an FIR No. 461 of

2022 dated 02.11.2022 registered on a complaint of private respondent no. 7.

5. The petitioner allegedly borrowed several sums of money from the private respondents for the fishery and had reneged from profit sharing.

6. While it is true that there is a civil dispute between the petitioner and the private respondents, the Civil Court is extremely concerned with the allegations of the petitioner in writing against the respondent no. 6, Manab Das, SI attached to Singur Police Station.

7. Singur Police Station shall register FIR in respect of the petitioner's complaint dated 28.09.2022 against the respondent nos. 6 to 9.

8. The Superintendent of Police, Hooghly (Rural) shall cause an investigation into the conduct of the said Manab Das, SI of the Singur Police Station and take appropriate steps in accordance with law in this regard.

9. Let a report to that effect be submitted to the Registrar General of this Court within a period of 45 days from date with a copy to the writ petitioner.

10. The investigation into the FIR on the complaint of the petitioner dated 28.09.2022 shall be completed as expeditiously as possible.

11. The aforesaid proceeding shall not prevent the petitioner from taking out appropriate civil or other proceedings against the private respondents.

12. The report of the Singur Police Station dated 04.06.2023 is kept with the record.

13. The instant writ petition is thus disposed of.

14. There shall be no order as to costs.

15. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)