

09.11.2023
SL No.8
Court No.5
(rp/gc)

WPA 25818 of 2023

Bhojendra Ray
Vs.
The State of West Bengal & Ors.

Mr. Anupam Kr. Bhattacharya,
Mr. Sukendhu Banerjee,
Mr. Sandip Chattopadhyay
...for the Petitioner.

Mr. Dipanjan Kundu,
Md. Musharrof Hossain,
Mr. Manabendranath Banerjee
...for the Respondent Nos.10 & 11.

Mr. Wasim Ahmed,
Md. Shehaboddin
...for the State.

1. The petitioner alleges that the private respondents, for reasons unknown, have brutally assaulted and beaten up the petitioner. The petitioner had to be administered medical help. Complaint was lodged before the police. A proceeding under Section 107 of the Cr.P.C. was initiated but even thereafter the private respondents assaulted the petitioner.
2. The petitioner submits that he is running a stall of hot tea and snacks as per the licence issued by the Kolkata Municipal Corporation.
3. Learned advocate representing the private respondents admits that physical assault

took place. It has been submitted that the same will not recur in future.

4. Learned Advocate representing the State respondents has obtained written instruction from the Officer-in-Charge, Karaya Police Station signed on 2nd November, 2023 wherein it has been mentioned that the incident of physical assault was reported and the same was endorsed being P.S. Case No.280 dated 1st November, 2023 under Sections 341/323/506/114 IPC and proceeding under Section 107 Cr.P.C. was also initiated vide P.R. No.17 of 2023.
5. The police is directed to ensure that no harm and/or physical injury is caused to the life and property of the petitioner and investigation in the case is properly conducted.
6. The writ petition stands disposed of.
7. The report filed by the Karaya Police Station be retained with record.
8. Leave granted to the learned Advocate representing the private respondents to file Vakalatnama in the department in course of the day.

(Amrita Sinha, J.)