

29.03.2023
Court No.13
Item No.23
pk

WPA 26692 of 2022

**Tapan Kumar Haldar
Vs.
The State of West Bengal and Ors.**

Mr. Kalyan Kumar Bhattacharjee
Ms. Reshmi Khatun

... For the petitioner.

Mr. Subhabrata Datta,
Mr. Subhabrata Das

... For the State.

Despite service of notice, the private respondent is not represented.

The writ petitioner complains that the private respondent/son, Arpan Kumar Halder is constantly assaulting him and forcing him to sign papers to transfer the petitioner's property in his name. When the petitioner left his house, the son locked his room and the petitioner could only enter after breaking open the lock. The petitioner was even thereafter and again assaulted by the private respondent in January, 2023.

The Kulpi Police Station has clearly indicated that the allegations of the petitioner against the private respondent are true. The son was arrested once but he was enlarged on bail. He continues to inflict torture.

In the above circumstances, this Court directs the Kulpi Police Station to apply for cancellation of the bail of Arpan Kumar Halder immediately. The petitioner shall also be entitled to make such application.

The Kulpi Police Station shall ensure that the petitioner is not harmed by the respondent/son and shall issue sufficient and strong warnings to him.

However, in the event of any further complaint from the petitioner, this Court directs the Kulpi Police Station to register further FIR and take the private respondent into custody and aggressively oppose application for bail.

The instructions of the Kulpi Police Station dated 27.03.2023 is taken on record.

The writ petition is disposed of.

There will be no order as to costs.

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

(Rajasekhar Mantha, J.)