

20-03-2023

ct no. 13

sl. 5

sp

WPA 26948 of 2022

Sri Sanjit Kumar Nayak @ Sanjit Nayak

-Versus-

The State of West Bengal & Ors.

Mr. Saibal Acharyya,

Mr. Sujit Bhunia,

Mr. Pradip Paul

...for the petitioner

Mr. Samrat Sen, Id. AAAG

Mr. Nilotpal Chatterjee,

Ms. Manali Ali

...for the State

The petitioner complains that the private respondents who had compelled him to work for a particular political outfit. On the petitioner's refusal he was assaulted with bricks and other weapons. He sustained serious injuries on February 9, 2022. He complains that the police refused even to register FIR.

The Patashpur Police Station, Purba Medinipur has submitted a report dated December 19, 2022, which is taken on record.

It appears that the petitioner's complaint was registered as FIR being Patashpur PS Case No. 271/22 dated 10.05.2022. Investigation has been completed and charge sheet being Patashpur P.S.

Charge Sheet No. 428 dated 26.08.2022 under Sections 341/323/325/506/34 of the IPC has been filed.

Counsel for the petitioner, Mr. Saibal Acharyya, submits that Section 307 of the Cr. P.C. ought to have been added, given the seriousness of the injuries of the petitioner.

Since charge sheet has been filed, the petitioner may approach the concerned Magistrate, inter alia, under Section 173 of the Cr. P.C.

The report of the Patashpur Police Station indicates a counter FIR against the petitioner of the same date being No. 62 of 2022 dated 09.02.2022. Investigation has also been completed and charge sheet being Patashpur PS CS No. 269/22 dated 30.05.2022 has been filed.

The petitioner may seek other remedies as he may be advised in accordance with law even in respect of this charge sheet.

The petitioner complains that he is afraid to enter his house and move freely in view of the threat from the private respondents.

The Patashpur Police Station shall provide necessary security to the petitioner after due

assessment thereof, upon any application being made by the petitioner.

With the aforesaid observations, W.P.A. 26948 of 2022 shall stand disposed of.

There shall 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.)