

16-05-2023
ct no. 13
sl. 33
sp

WPA 29075 of 2022
Asraf Ali Sk. @ Asraf Ali
-Versus-

The State of West Bengal & Ors.

Mr. Sayan De,
Mr. Kaustav Shome,
Mr. Sayan Kanjilal

...for the petitioner

Mr. Subhabrata Datta,
Mr. Abdus Salam

...for the State

1. The petitioner complains of alleged inaction on the part of the kaliganj Police Station in respect of a complaint against the private respondents dated 07.12.2022..
2. The Kaliganj Police Station has filed instructions, addressed to the learned Government Pleader dated 10.05.2023, which is taken on record.
3. It appears that Kaliganj police have taken out proceedings under Sections 107 and 116 of the Cr. P.C.
4. The disputes between the petitioner and the private respondents is purely civil in nature since the private respondents are stated to have entered into some kind of agreement with the petitioner.

5. This Court is of the view that the disputes between the parties are civil in nature and civil remedies may be explored.
6. In the event of any complaint against the private respondents before the police and FIR is not registered, the petitioner may approach the Magistrate under Section 156(3) of the Cr. P.C.
7. The Kaliganj police shall, however, ensure that there is absolutely no breach of peace in the area.
8. With the aforesaid observations, the instant writ petition shall stand disposed of.
9. There shall be no order as to costs.
10. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)