

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side

Present:

The Hon'ble Justice Jay Sengupta

WPA 1814 of 2024
Jagadish Chandra Sing

Vs.

The State of West Bengal & Ors.

For the petitioner : Mr. Apurba Kumar Dutta,
Mr. Syed Mosihar Rahman.

.....Advocates

For the State : Mr. Ansar Mandal Id. AGP.,
Mr. Asish Dutta.

.....Advocates

Heard lastly on : 31.01.2024

Judgment on : 31.01.2024

Jay Sengupta, J:

This is an application seeking police protection and taking of steps on complaints made.

It does not appear that the private respondents could be served with notice.

Report filed on behalf of the State is taken on record.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is the owner of the property in question. Some persons might have been aggrieved with the son of the petitioner who had allegedly acted as an agent in a chit fund matter. Taking advantage of this situation, the private respondents and other miscreants of the locality had tried to grab the property belonging to the petitioner. In fact, they were able to oust them from their own residence. However, with police help, they returned back. But, the private respondents and others are continuously harassing, intimidating and disturbing the petitioner and his family members. The petitioner's wife is sick and has to be taken to a hospital and/or doctors for treatment. The private respondents are not even allowing that. The police are not registering any complaint.

Learned counsel appearing on behalf of the State relies on the report filed earlier and submits as follows. On the complaint of the petitioner, a proceeding has been initiated under Section 107 of the Code. The police are keeping a close watch on the developments in the locality.

Merely because the petitioner's son might be involved in some wrong doing, if at all, the petitioner and his family members cannot not be subjected to atrocities by the local people including the private respondents.

In such event, it shall be the duty of the police administration to ensure that the petitioner can live a peaceful life at their residence.

If any cognizable case is made out, the police shall register FIR on the complaint made by the petitioner. They shall keep a sharp vigil at the locale and ensure that no breach of peace takes place. Surveillance shall include frequent visits of police patrols.

If any police help is required to take any member of the family outside for medical treatment, the same shall be rendered by the local police authorities.s

If any untoward incident occurs or is apprehended by the petitioner, the petitioner shall be at liberty to contact the Officer-in-Charge of the Shyampur Police Station who shall then act in accordance with law.

With these observations, the writ petition is disposed of.

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

Parties shall act on a server copy downloaded from the official website of this Court.

(Jay Sengupta, J.)