

M/L 466
10.12.2024
Kausik
ct.no.35

W.P.A. 2353 of 2024

**Samar Kanti Das
Versus
State of West Bengal & Ors.**

Mr. Amitava Mukherjee
Ms. Arpita Saha
Ms. Antara Das

...for the petitioner.

Ms. Jhuma Chakraborty
Ms. Arpita Mondal

...for the state.

Petitioner is aggrieved by the inaction of the police authorities inspite of informing them regarding not only the disturbance in the peaceful enjoyment of the property but also the private respondents having threatened to kill them.

To that effect, petitioner has approached not only the Inspector-in-Charge, Jhargram Police Station but also approached the learned Executive Magistrate.

Learned advocate for the state has submitted a report. Report reflects that police authorities have only registered General Diary Entries and proceedings under section 107 of the Cr.P.C. have been drawn.

Be that as it may, having considered that the petitioner and his family members are feeling

insecured at the hands of the private respondents, the petitioners would be at liberty to approach the jurisdictional magistrate under section 175(3) of the BNSS.

Learned Magistrate would keep in mind the aforesaid observations, adjudicate the issue in accordance with law.

So far as the other issues are concerned regarding the act and actions of the private respondents, the Inspector-in-Charge, Jhargram Police Station would keep a strict vigil and would ensure that no breach of the peace or tranquility takes place or any untoward incident results because of the inimical relationship between the petitioner and the private respondent.

With the aforesaid observations WPA 2353 of 2024 is disposed of.

Report so submitted be kept with the record.

A copy of the report be handed over to the learned advocate appearing for the petitioner.

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

(Tirthankar Ghosh, J.)