

53 27.11.2024

Court

No. 35

G.S.Das

WPA 6311 of 2024

Zakir

-Vs-

The State of West Bengal & Ors.

Mr. Kalidas Saha

... for the Petitioner

Mr. Ansar Mandal, Id. AGP

Ms. S. Bhattacharya

... for the State-respondent

Mr. Arun Shaw

... for the respondent nos. 5,7,8 and 10

Ms. Sumita Sarkar

Mr. Sk. Md. WasimAkaram

... for the respondent nos. 4, 6, 9

The petitioner claims that he cannot enter his residence because of acts and actions of the private respondents.

State has submitted a report, which reflects that Harishchandrapur P.S. Case No. 347 of 2023 dated 20.04.2023 under Sections 302/120B of the IPC has been registered for investigation.

Learned advocate for the private
respondents submits that the petitioner is

facing wrath of the criminal case which has been initiated and the respondents have no role to play, if the petitioner enters his residence.

In view of the petitioner facing trial before the jurisdictional Sessions Court which is *in seisin* of Harishchandrapur P.S. Case No.347 of 2023, I direct that the petitioner will apply before the concerned court.

The learned Sessions Court *in seisin* of the matter would assess regarding the prevailing situation and dispose of an application, if so advised and filed at the behest of the petitioner for entering his residence and/or his other activities. If such an application is preferred, the same be disposed of within a period of 25 days from the date of filing of such application.

With the aforesaid observations,

WPA 6311 of 2024 is disposed of.

Report so submitted be kept with
the record.

Parties to act on a server copy
of this order duly collected from the
official website of the Hon'ble High Court,
Calcutta.

(Tirthankar Ghosh, J.)