

April 1, 2024
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Ct. No.14
SG

WPA 8045 of 2024
with
CAN 1 of 2024

Chandan Chakraborty and others
vs.
The State of West Bengal and others

Mr. Sarwar Jahan
Ms. Mohuya Dutta Biswas
Mr. Nilanjan Adhikari
... for the petitioners.

Ms. Sonal Sinha
Ms. Ashmita Ghosh
... for the State.

Mr. Kallol Kumar Basu
Mr. Jannat Ul Firdous
... for the respondent Nos.5-8.

Supplementary affidavit filed by the petitioners is taken on record.

Learned counsel appearing for the petitioners submits as follows. The petitioner No.1 is the owner of the property and the car in question. The other petitioners are his wife and son. The private respondents are the daughter and son-in-law of the petitioner No.1. Some people claimed that they have given money to the petitioner's son-in-law and have forcibly taken away the car belonging to the petitioner No.1. Even the petitioners' house has been locked and they are being prevented from entering into their own house.

Learned counsel appearing for the private respondents denies the allegations and submits that the petitioner No.3 had taken huge sums of money from the

private respondents for providing a government job. The petitioner No.2 abetted this crime. The private respondents went to the police authorities, but no complaint was registered. However, the private respondents have not locked the house of the petitioners or taken away the car.

Learned counsel appearing for the State relies on the report and submits that the police are investigating the FIR regarding theft of car. The police are keeping a close watch on the developments in the locality.

Admittedly, the petitioner No.1 is the owner of the property in question. Without any order of a competent court of law, no one can prevent the petitioner No.1 from entering into his house.

Let the petitioners intimate the intended date and time of return to their residence to the Officer-in-Charge of Titagarh Police Station with a twenty-four hours' prior notice. The Officer-in-Charge shall then make arrangements for police escort to accompany the petitioners to their residence. The entry to the residence shall be videographed.

Even thereafter, the police shall maintain a sharp vigil at the locale and ensure that no breach of peace takes place.

The police shall also investigate into the allegation of theft of car and recover the car.

With these observations, the writ petition is disposed of.

As affidavits were not called for, the allegations made are deemed not to have been admitted.

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

[Jay Sengupta, J.]