

Sl.No.

31 25.11.2024

Court

No. 35

G.S.Das

WPA 8074 of 2024

Arjun Chowdhury @Chaudhuri

-Vs-

The State of West Bengal & Ors.

Mr. Ambu Bindu Chakraborty

Ms. Mrinmoyee Roy Chowdhury

.... For the petitioner

Mr. Vimal Kumar Shahi, Id. AGP

Ms. Pratiti Das

... for the State

Mr. Joy Chakraborty

Ms. Ipsita Ghosh

Mr. Ranjit Malakar

... for the private respondent nos.5-17

The petitioner is aggrieved by the fact of aggression shown by the private respondent nos. 5 to 17.

To that effect, the petitioner has lodged a complaint with the officer-in-charge of Mothabari Police Station.

Learned advocate for the State has submitted a report, which reflects that pursuant to the information submitted, Mothabari P.S. Case No. 109 of 2024

dated 03.03.2024 has been registered for investigation under the relevant Sections of the IPC.

Petitioner has submitted that there are injuries. To that effect, I find that Section 325 of the IPC has been incorporated in the FIR.

The petitioner, however, complains that he is unable to enjoy his property. To that effect, a civil suit is pending, as the private respondents are trying to encroach upon the property.

Learned advocate for the private respondents disputes and denies the contentions advanced by the learned advocate for the petitioner.

As there is already an order passed by the learned Civil Court relating to *status quo*, I am of the view that the petitioner would, in the fitness of

circumstances, approach the learned civil court for police assistance. In case, such order is passed by the jurisdictional civil court *in seisin* of the matter, the police authorities would respect and obey the order so passed by the learned civil court.

In the meantime, as, I find that a criminal case has already been registered during the pendency of the civil suit, the police authorities would keep strict vigil and ensure that no breach of peace and tranquility takes place and/or no untoward incident stems out in the present relationship existing between the petitioner and the private respondent(s).

With the aforesaid observations, WPA 8074 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.)