

M/L 553
12.12.2024
Kausik
ct.no.35

W.P.A. 9329 of 2024

**Arjun Baul & Ors.
Versus
The State of West Bengal & Ors.**

Mr. Golam Karim Chowdhury

...for the petitioner.

Mr. Amal Kumar Sen, AGP
Mr. Jaladhi Das

...for the state.

Petitioners complains that the private respondents have been forcing themselves in the property enjoyed by the petitioners and to that effect, has encroached upon the property.

Petitioner lodged complaint with the Officer-in-Charge, Sandeshkhali Police Station on or about 16.03.2024 and 22.03.2024.

Learned advocate appearing for the state has submitted a report which reflects that proceedings have been drawn under section 107 of the Cr.P.C.

It has been contended in the report so submitted that the issue involved is a land dispute.

Having considered that the police authorities have not acted on the information so submitted, I grant liberty to the petitioner to approach the jurisdictional magistrate under section 175(3) of the

BNSS. Learned Magistrate will assess regarding the accusations as to whether any cognizable offence is made out and accordingly pass necessary orders exercising its discretion.

With the aforesaid observations WPA 9329 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.)