

D/L 63
27.11.2024
Kausik
ct.no.35

W.P.A. 11453 of 2024

**Mahabir Gupta
Versus
The State of West Bengal & Ors.**

Mr. Mukteswar Maity
Ms. Manika Sarkar
Ms. Nupur Chowdhuri

...for the petitioner

Mr. Tanmoy Mukherjee
Mr. Souvik Das
Mr. Rudranil Das

...for the respondent no. 4

Mr. Himadri Sekhar Chakraborty

...for the state.

Petitioner complains that he is being threatened for being thrown out from the premises where he is residing and the same is at the behest of the private respondents.

Learned advocate appearing for the private respondent denies and disputes such contentions and submits that the petitioner is taking up a ploy for staying in the said residence.

Learned advocate for the state has submitted a report. Report reflects that on enquiry, the police authorities have found that, the incident complained of by the petitioner, do not have any foundation.

Consequently, the petitioner is granted liberty to approach the jurisdictional criminal court with appropriate reliefs either under section 175(3) of the BNSS or under section 223 of the BNSS.

Learned magistrate would scrutinize the accusations and thereafter exercise its discretion in accordance with law.

So far as this court is concerned, report so submitted be kept with the record.

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

Accordingly, WPA 11453 of 2024 is disposed of.

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

(Tirthankar Ghosh, J.)