

D/L34
27.11.2024
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ct.no.35

W.P.A.10676 of 2023

**Sri Badal Biswas
Versus
The State of West Bengal & Ors.**

Mr. Amit Kr. Ghosh.
...for the petitioner.

Ms. Sabnam De Bardhan
Mr. Tapas Kr. Mandal.
...for the State-respondents.

Affidavit-of-service filed by the petitioner be
kept with the record.

Petitioner is aggrieved by the fact that when
he went to the land for cultivation, he was abused
with derogatory language and the private respondents
had been threatening him of dire consequences
including the factum of murdering him.

Learned advocate for the State has submitted
a report. Let the same be kept with the record.

Report reflects that the police authorities
pursuant to the receipt of the information have drawn
up proceedings under Sections 107 and 116 of the
Code of Criminal Procedure.

In view of the nature of the accusations made
and after consideration of the police report, I am of
the opinion that the petitioner is granted liberty to

approach the jurisdictional Magistrate under Sections 175(3)/223 of the BNSS. Learned Magistrate would consider the averments and as to whether any offence has been made out and would exercise his discretion to pass necessary orders. In the meantime, the police authorities would keep a strict vigil and would also ensure that no breach of peace takes place at the locale.

With the aforesaid observations, WPA 10676 of 2023 is disposed of.

There will be no order as to costs.

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.

Urgent photostat certified copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Tirthankar Ghosh, J.)