

November 5, 2024  
AD 78  
Ct. 17  
SG

*CPAN 1153 of 2024*  
*in*  
*WPA 25495 of 2023*

*Sk. Ahammadulla*  
*vs.*  
*Sourav Chiny*

Mr. Sukumar Ghosh  
Ms. Moumita Ghosh  
... for the petitioner

Learned counsel for the petitioner submits that on 30.01.2024 this Court passed directions that in the event the acts committed by the private respondents amount to cognizable offence, the police shall be at liberty to register an FIR and investigate into the same. The police shall also explore the possibility of invoking Section 107 of the Code, if required. Even otherwise, the police should keep a sharp vigil at the locale and ensure that no breach of peace took place. The petitioner thereafter wrote to the police authorities on 30.05.2024 about inaction on his earlier complaint dated 27.09.2023. A further complaint was made after passing this Court's order.

The complaint dated 27.09.2023 predated the order passed by this Court on 30.01.2024. In the original order, this Court did not direct the police to register an FIR. It had only granted liberty to them to register an FIR if they thought that a cognizable offence was made out.

Therefore, it cannot be said that there was a deliberate and clear violation of this Court's order.

However, the petitioner shall be at liberty to pursue his complaint in accordance with law. In the event any subsequent indiscretion is committed by the private respondents, it shall also be open to the petitioner to take appropriate steps in accordance with law.

In view of the above, CPAN 1153 of 2024 is disposed of without any further order, even as to costs.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of such requisite formalities.

**[ Jay Sengupta, J. ]**