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WPA 22773 of 2024

Banamali Maity
Vs.
The State of West Bengal & Ors.

Mr. Debabrata Sardar
... for the petitioner.

Mr. Subir Banerjee
Mr. Rasidul Islam Molla
Ms. Jotiska Panja
... for the private respondent.

Mr. Dipanjan Dutta
Mr. Soumen Chatterjee
... for the State.

Affidavit of service filed in Court is taken on
record.

The petitioner alleges that the police authorities
have not taken any steps in spite of receipt of a complaint
from the petitioner by a letter dated August 27, 2024.

The learned advocate for the private respondent
submits that there is a longstanding dispute with regard to an
immovable property between the petitioner and the private
respondent and the dispute is civil in nature.

Mr. Dutta, learned advocate for the State submits
that pursuant to the complaints lodged by the petitioner,
enquiries have been made and after completion of enquiry, a

prosecution under Section 126 BNSS has been submitted vide Uluberia Police Station NCR No. 578 of 2024 dated September 3, 2024. It further appears that a prosecution under Section 115(2) of the BNSS was also submitted against the 5th respondent vide Uluberia Police Station NCR No. 600 of 2024 dated September 10, 2024. Learned advocate for the State further submits that the police authorities after making enquiry found that no case of any cognizable offence has been made out and for such reasons FIR has not been registered. Let a copy of the report of the Inspector-in-Charge, Uluberia Police Station dated September 17, 2024 be handed over to the learned advocate for the petitioner.

The petitioner is left free to take appropriate steps in this regard in accordance with law.

The Inspector-in-Charge, Uluberia Police Station is directed to ensure that no breach of peace takes place at the locale.

With the above observations, the writ petition stands disposed of.

There shall, however, be no order as to costs.

(Hiranmay Bhattacharyya, J.)

