

Sl.No.
8 06.11.2024
Court
No. 35
G.S.Das

WPA 25252 of 2024

Swapan Sarkar
-Vs-
The State of West Bengal & Ors.

Mr. Uday Narayan Betal
Mr. Bhaskar Hutait
... for the petitioner

Mr. Anirban Dutta
Mr. Sk. Kiran
... for the Respondent nos. 6,7,8,9 & 10

Mr. Ashim Kr. Ganguly
Mr. Bellal Shaikh
... for the State

The petitioner is aggrieved by the fact that his representation dated 7th September, 2024 was not considered by the officer-in-charge of Sagarpara P.S., Murshidabad.

The sum and substance of the accusation made in the letter of complaint addressed by the Secretary of the said *Debattor* trustee was that at the behest of

the private respondents, the property of the *Debottar* Trustee, which includes a Temple, is being attempted to be vandalized by the private respondents.

The records of the case reflect that the present petitioner has approached the learned Executive Magistrate by way of Case No. 745 of 2024 under Section 163 of BNSS and the next date has been fixed on 14th of November, 2024 by the learned Executive Magistrate for submission of enquiry report by the concerned Officer-in-charge of Sagarpara P.S.

Learned advocate for the State ensures that such report would be submitted on the next date so fixed before the learned Executive Magistrate.

The private respondent(s) disputes and denies the allegations which have been furnished before the police authorities

and reserves their right to take out an appropriate application before the learned Executive Magistrate for bringing all facts on record in respect of the disputes with the petitioner and/or *Debattor* Trustee, which they are representing.

Be that as it may, I direct the officer-in-charge of Sagarpara P.S., Murshidabad to keep a strict vigil and ensure that no breach of peace and tranquility takes place at the locality at the behest of either of the parties. The officer-in-charge of Sagarpara P.S. will also ensure in respect of the allegations and/or accusation made in the application under Section 163 of the BNSS and submit his report before the learned Executive Magistrate on the next date so fixed.

The learned Executive Magistrate is directed to ensure that since a religious institution is involved, no untoward incident

takes place at the subject-matter of the property.

With the aforesaid observations, WPA 25252 of 2024 is disposed of.

Affidavit of service so filed be kept with the record.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties, subject to compliance with all requisite formalities.

(Tirthankar Ghosh, J.)