

D/L 12
04.12.2024
Kausik
ct.no.35

W.P.A. 28132 of 2024

**Prasenjit Samanta
Versus
State of West Bengal & Ors.**

Mr. S. Shah
Mr. Soumen Barman
Mr. U. Khan
Mr. Aninda Bhattacharya

...for the petitioner.

Ms. Roma Halder
Ms. Diya Dutta
Ms. Arpita Dhar

...for the respondent.

Mr. Amitesh Banerjee, Sr. St. Counsel
Mr. Debangshu Dinda

...for the state.

Petitioner is aggrieved by the fact that his information submitted on 27.10.2024 with the Officer-in-Charge, Pingla Police Station was not acted upon, although he was assaulted with fists and blows and with sticks.

Further contention of the petitioner is that, his land is being encroached by the private respondents.

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

The police authorities have already drawn up proceedings under section 126 of the BNSS and also kept a strict vigil and in course of enquiry, the police authorities have also prayed before the BL&LRO, Pingla thereby seeking the details of the scheduled land which is the subject matter of dispute.

Learned advocate appearing for the private respondent no. 4 disputes and denies each of the contention and submits that the petitioner in order to falsely implicate the private respondent has bolstered up facts suiting the needs for initiation of a criminal case with the purpose of illegally acquiring the property.

I have considered the contentions of the learned advocate for the petitioner, the private respondent as well as that of the state.

Having considered the contention so advanced, petitioner is granted liberty to approach the jurisdictional criminal court with appropriate prayers.

Learned Magistrate would ensure that there are medical reports in support of the contentions and thereafter pass directions on any application/complaint so filed before him.

Since state is already in seisin of the accusations so made by the petitioner, a strict vigil be kept by the Officer-in-Charge, Pingla Police Station

who would ensure that no breach of the peace and tranquility takes place and/or any untoward incident results because of the dispute and difference between the petitioner and the private respondent.

With the aforesaid observations WPA 28132 of 2024 is disposed of.

Report so submitted be kept with the record.

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

(Tirthankar Ghosh, J.)