

09.05.2024
Ct. No. 14
Item 37
Cp

WPA No. 27349 of 2023

Afsar Ali

Vs.

The State of West Bengal & Ors.

Mr. Arunava Ganguly

.....for the petitioner.

Mr. Saikat Chatterjee

Mrs. R. Das

Mr. P. Pal

.....for the respondent no. 4.

Mr. Himadri Sikhar Chakraborty

Ms. Susnita Saha

.....for the State.

Affidavit of service filed on behalf of the petitioner is taken on record.

Report filed on behalf of the State is also taken on record.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner had lodged an FIR against the private respondents being Haripal Police Station Case No. 459 of 2023 dated October 17, 2023, under Sections 341/323/325/307/379/506 of the Indian Penal Code. When the petitioner was returning home after giving his statement under Section 164 of the Code, he was attacked and threatened by the private respondents. This was brought to the notice of the local police authorities, but no steps were taken.

Learned counsel appearing on behalf of the private respondents submits as follows. The first case that was started between the private parties was by the private respondents. An FIR was registered on the same. There is a political rivalry between the two sides. However, it is denied that the private respondents have at all threatened the petitioner.

Learned counsel appearing on behalf of the State relies on the report and submits as follows. Some of the private respondents were arrested in connection with the first case and were later granted bail. An information has been recorded about the further complaint of the petitioner about threats given. The police are keeping a close watch on the developments in the locality.

It appears that there exist case and counter case between the private parties.

However, since there is an allegation made by the petitioner that he has been threatened by the accused in the instant case, let the police authorities keep a sharp vigil at the locale and ensure that no breach of peace takes place. Surveillance shall include frequent visits by police patrol.

If the petitioner believes that a cognizable case is made out on his complaint, he shall be at liberty to act in terms of the ratio laid down in *Aleque Padamsee's case*, (2007) 6 SCC 171.

Therefore, no further order need be passed in this regard.

With these observations, WPA No. 27349 of 2023 is disposed of.

As affidavits were not called for, the allegations made are deemed not to have been admitted.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Jay Sengupta, J.)