

March 19, 2024
AD 82
Ct. No.14
SG

WPA 27568 of 2023
Suraj Majumder
vs
The State of West Bengal and others.

Mr. Saikat Chatterjee
Mr. Isteyak Ahmed
Mr. Puranjan Pal
Ms. Tanveen Alam
... for the petitioner

Mr. Amitesh Banerjee
Mr. Suddhadev Adak
... for the State

Affidavit of service filed in Court is taken on record.

Report filed by the State is also taken on record.

Learned advocate for the petitioner does not want to press the prayer for a direction to further investigate the offence. His client would prefer a protest petition before the trial court.

Learned advocate for the petitioner further submits that on 11.10.2023 at night when the petitioner was sitting in his own house along with his pregnant wife, the accused attacked his house. They started throwing bottles and thereafter criminally trespassed into the property, beat up the petitioner and looted away articles. Although an FIR has registered, but no serious charge was imputed. If more than 5 persons come and forcibly loot away gold ornaments, it would amount to robbery, if not dacoity. More importantly, the private respondents and their men and agents have been threatening the petitioner to withdraw the case. The last threat came from a local civic volunteer.

Learned advocate for the State relies on the report and submits that on the allegation of the petitioner, an FIR has registered. An FIR named accused surrendered and got bail and another was arrested. The gold chain could be recovered. After investigation, charge-sheet has been submitted against the three accused.

It appears that steps have been taken during investigation. An accused was arrested and a gold chain was recovered. A charge-sheet has also been submitted.

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

The petitioner shall be at liberty to file a protest petition before the trial court if he is aggrieved with the outcome of the investigation.

However, the police shall keep a sharp vigil at the locale and ensure that no harm ensues to the petitioner or his family members. Surveillance shall include frequent visits by police patrol.

If the petitioner makes a complaint in this regard of threats given by someone to withdraw the case, the police shall consider registering an FIR over the same.

With these observations, the writ petition is disposed of.

Urgent certified copies of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

[Jay Sengupta, J.]

