

17.12.2024

BP/AGM

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Court No. 37

WPA 29156 of 2024

Soumitra Pal @ Mampi Pal

Vs.

The State of West Bengal and Ors.

Mr. Somnath Adhikary.

Mr. Biswajit Sarkary.

... For the petitioner.

Mr. Amitesh Banerjee. Sr. Standing Consel.

Ms. Ipsita Banerjee.

... For the State.

Mr. Milan Nandi.

Mr. Tapas Bhattacharjee.

Mr. Mayukh Nandi.

... For the respondent nos. 8 and 9.

Mr. Balaram Neogi.

Mr. Arup Kumar Dey.

... For the respondent no. 10.

Petitioner is aggrieved by the fact that in spite of informing the police authorities on 30th October, 2024, no action has been taken till date. To that effect, learned advocate for the petitioner has drawn the attention of the Court to certain incidents which took place between 10th October, 2024 and 13th October, 2024.

Learned advocate submits that on the face of it, an offence has been made out and in spite of the same, no action has been taken by the police authorities.

Learned advocate for the State has drawn the attention of the Court to a communication made to the Officer-in-charge, Patuli P.S. wherein the petitioner requested for lodging a general diary entry only. Consequently, G.D. 968 dated 13.10.2024 was registered with the said police station.

According to the State as such the petitioner should not have any grievance.

Learned advocate for the private respondent nos. 8 and 9 and private respondent no. 10 submits that the accusations so made are denied and the same has been with a purpose of wrecking vengeance on issues with which the respondents are unconnected.

Learned advocate for the respondents emphatically deny each and every allegation which has been made in the complaint dated 30th October, 2024 and also referred to the information which was furnished with the P.S. on 13th October, 2024.

Be that as it may, as the possibility of the petitioner being misguided at the relevant point of time cannot be ruled out, I grant liberty to the petitioner to approach the jurisdictional Court by way of invoking Section 175 of the BNSS.

Learned Magistrate will assess the accusations and proceed in accordance with law.

In view of the apprehension so expressed, a strict vigil be kept at the locale so that no further incident is complained of at the behest of either of the parties.

With the above observations, WPA 29156 of 2024 is disposed of.

There shall be no order as to costs.

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

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Tirthankar Ghosh, J.)

