

December 12, 2024
Sl. No. 15
Court No.35
s.biswas

WPA 29029 of 2024

Supratim Nayaban

vs.

The State of West Bengal and others

Ms. Pampa Dey (Dhabal)

Ms. Sangita Banerjee

Mr. Biswarup Chatterjee

... for the petitioner

Mr. Jayanta Samanta

Mr. Kaustav Chatterjee

... for the State

Mr. Arka Ranjan Bhattacharya

Ms. Gulsanwara Pervin

... for the respondent nos.7&8

Affidavit of service so filed, be kept with the record.

Petitioner complains against the respondent nos.7 and 8, at whose instance the civic volunteers and other police officers of Maheshtala Police Station are threatening the petitioner and his family members. Petitioner submits that there was a dispute in respect of the loan amount. However, substantial amount has been repaid with the assistance of the police officers. In spite of the same, the private respondents are threatening, criminally intimidating and are flexing their muscles for recovery of money.

Learned advocate for the State has submitted report. The report reflects that the police authorities are working in respect of the dispute between the petitioner and the private respondents and vigil has

been kept so that the petitioner and his family members are not disturbed.

Learned advocate for the private respondent nos.7 and 8 disputes and denies the accusations of the petitioner of sending the police to the petitioner. However, he admits that petitioner has parted with the money which he asked for refund and subsequently as a counter blast, the present writ petition has been filed.

I have considered the accusations made by the petitioner in the writ petition and I am of the view that so far as the police authorities are concerned, the statute has now given power to an individual to proceed under Section 175(4) of the BNSS. Accordingly, the petitioner would approach the jurisdictional court with prayers which the jurisdictional court would by abiding the relevant provisions decide the same, in accordance with law.

In the meantime, since there are allegations on the female folk of the family of the petitioner including his wife and daughter, the Inspector-in-Charge of the Maheshtala Police Station would ensure that if any information is furnished by the family members (female folk), they would ensure that no harm is caused to them and render all possible assistance to prevent any mischief or criminal intimidation.

With the aforesaid observation, WPA 29029 of 2024 is disposed of.

The report submitted be kept with the record. Copy of the report be handed over to the learned advocate for the petitioner and the learned advocate for the private respondents.

All the parties shall act on the basis of the server copy of the order.

Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Tirthankar Ghosh, J.)