

December 19, 2024
Sl. No. 62
Court No.35
s.biswas

WPA 29414 of 2024

Haripada Bar
vs.
The State of West Bengal and others

Mr. Subhadeep Chatterjee
Ms. Arpita Kundu
... for the petitioner
Mr. Vimal Kumar Shahi, AGP
Ms. Kakali Naskar
Mr. Debangshu Dinda
... for the State
Mr. Masud Karim
... for the respondent no.7

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

The petitioner is aggrieved by the fact that on 13th December, 2024, the petitioner's house/hut was set on/caught fire. The petitioner alleges that the fire was set on by the respondent no.7 and others.

Learned advocate for the State submitted report. Report reflects that already a case being Basanti Police Station Case No.963 of 2024 dated 14.12.2024 has been registered for investigation against seven accused persons. Petitioner apprehends that in view of the nature of sections which have been incorporated in the FIR, there is a possibility that intentionally an escape route has been created for the accused to enjoy their liberty. Petitioner accordingly would prefer an application before the learned Magistrate.

Learned Magistrate with regard to the nature of allegation, if required, he will direct the police authority to add section, if there is a difference between the Magistrate triable offence and sessions triable offence. Since the petitioner and the private respondent are at loggerhead, the police authorities will keep vigil so that no untoward incident takes place.

With the aforesaid observation, WPA 29414 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.

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.)