

D/L23
20.12.2024
Bpg.
ct.no.35

W.P.A.29712 of 2024

**Ranjit Maji
Versus
The State of West Bengal & Ors.**

Mr. Palash Bapari.
...for the petitioner.

Mr. Dipanjan Datta
Ms. Sukanya Datta.
...for the State-respondents.

Affidavit-of-service filed by the petitioner be
kept with the record.

Petitioner complains that after having
obtained sanction plan from the panchayat authority
he intended to raise the construction when he was
assaulted, harassed and the private respondents
interfered with the said construction. Information to
the police authorities did not yield any result.

Learned advocate for the State has submitted
a report. Report reflects that Dadpur P.S. Case
No.239 of 2024 dated 13.07.2024 was registered for
investigation under the relevant provisions of law and
on conclusion of investigation the investigating
authority has already submitted charge-sheet. It has
been further contended on behalf of the State that
since the writ petition was preferred for initiation of
investigation while the police authorities have not

only investigated but also submitted charge-sheet, the primary grievance raised by the petitioner has been addressed.

I have considered the submissions advanced by the learned advocate for the petitioner as also that of the State and I find that Section 115(2) of BNS is present, both in the FIR and the charge-sheet, as such, the issue relating to assault which was raised by the petitioner is primarily substantiated on the basis of the investigation.

Accordingly, I direct that if the private respondents continue their conduct and the petitioner complains of any harassment, disturbance or any untoward incident of physical assault, the police administration will consider such threat perception and act according to the provisions of Witness Protection Scheme, 2018. To that effect, report be submitted before the jurisdictional court who will be in seisin of Dadpur P.S. Case No.239 of 2024.

With the aforesaid observations, WPA 29712 of 2024 is disposed of.

There will be no order as to costs.

Report so submitted be kept with the record.

A copy of the report be handed over to the learned advocate appearing for the petitioner.

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

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

(Tirthankar Ghosh, J.)