

Item No.73
23.12.2024
Court. No. 35
GB

WPA 29753 of 2024

Abul Fazal & Ors.
VS
The State of West Bengal & Ors.

Mr. Anirban Mitra,
Mr. Amit Roy

...for the Petitioners.

Mr. Susovan Sengupta, Sr. Adv.,
Mr. Tarak Karan

...for the State.

Mr. Ivan Roy,
Mr. Debanghu Bandhu

...for the Respondent Nos.4 to 10.

Affidavit-of-service filed on behalf of the petitioner is kept with the record.

The petitioners complain that they have been physically assaulted, abused and the same was in spite of a status quo order passed by the civil court.

Learned advocate for the private respondent nos.4 to 10 is present and submits that the accusation which has been made are frivolous and incidents of such nature had never occurred.

Learned advocate for the State has handed over a report. The report reflects incidents of 23.10.2024 as well as on 01.11.2024. So far as the incident relating to 01.11.2024 is concerned, police authorities have already drawn up proceedings under Section 126 of the BNSS.

Be that as it may, if the petitioners are of the view that any cognizable or non-cognizable offence has been made out, then in that case petitioners will approach the jurisdictional Magistrate. The learned Magistrate on an enquiry will assess

regarding the correctness of the accusation and proceed in accordance with law.

With the aforementioned observations, WPA No.29753 of 2024 is disposed of.

Report so submitted be kept with the record.

Copy of the report be handed over to the learned advocate appearing on behalf of the petitioners.

Parties are directed to act on the basis of the server copy of this order.

(Tirthankar Ghosh, J.)