

16.07.2024
Item No.28
Ct. No.35
dc.

W.P.A. 8723 of 2020

**Sri Mahadeb Maity
versus
The State of West Bengal & Ors.**

Mr. Gopal Mondal ... For the Petitioner.

Ms. Ipsita Banerjee,
Mr. Kaustav Chatterjee ... For the State.

Learned advocate appearing for the petitioner is aggrieved because of no assistance being rendered by the police authorities in spite of a communication sent to the Officer-in-Charge, Ghatal Police Station dated 29.09.2020. The documents which have been placed before this Court do not contain any seal of the local police station or any acceptance of the said information in any form.

The petitioner is granted liberty to approach the jurisdictional Magistrate by way of filing a complaint under Section 223 of the BNSS, 2023.

The learned Magistrate would conduct an enquiry, if required under the relevant provisions of BNSS and decide the future course of action.

Needless to state that this Court has not entered into the merits of the case. It would be for the learned Magistrate to decide whether any cause of action has been created for a criminal case to be proceeded in a court of law by adhering to the provisions.

With the aforesaid observations, WPA 8723 of 2020 is disposed of.

Pending connected application, if any, is consequently 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 photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)