

Srl. No.18
25.01.2024
SB-III
SH

**Calcutta High Court
In the Circuit Bench at Jalpaiguri
Appellate Jurisdiction**

W.P.A 125 of 2024

**Khagendra Nath Das
-versus
The State of West Bengal & Ors.**

**Mr. Kunaljit Bhattacharjee
Mr. Alok Sah
... for the petitioner.**

**Mr. Subir Kumar Saha, AGP
Mr. Anirban Banerjee
... for the State.**

The petitioner alleges inaction on the part of the police in taking steps in response to the complaint lodged by the petitioner with regard to putting a padlock by the private respondent on the laundry shop of the petitioner.

Learned advocate representing the State respondents has obtained instruction from the Deputy Commissioner of Police, West Zone, Siliguri Police Commissionerate signed on January 9, 2024 mentioning that specific police case being Matigara P.S. Case No. 39/24 dated January 18, 2024 under Sections 448/506 IPC has been recorded and investigation of the case is in progress.

The complaint of the petitioner was enquired and apprehending breach of peace in the locality, prosecution under Section 107 CrPC was submitted vide NBMC OP Non FIR P.R. No. 155/2023 dated December 14, 2023 against both the parties.

As it appears from the instruction forwarded by the police that steps have already been taken in response to the complaint filed by the petitioner, accordingly, no useful purpose will be served by keeping the writ petition pending.

It will be open for the parties to approach the appropriate forum for relief.

The police is directed to proceed with the investigation and conclude the same at the earliest.

The instruction forwarded by the police be retained with the records.

The writ petition stands disposed of.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)