

17.04.2025
SL No.168
Court No.35
S.Gayen

WPA 178 of 2025
Nakul Roy @ Bagdi
Versus
The State of West Bengal & Ors.

Ms. Pampa Dey (Dhabal)	
Mr. B. Chatterjee	
	...for the Petitioner
Mr. Arup Kumar Mondal	
Mr. Debasis Sur	
	...for the Private Respondent Nos. 19 & 20
Mr. Suman Ghsoh	
Mr. Sanatan Panja	
	...for the State

1. Learned advocate appearing for the petitioner claims to be a share cropper who is being manhandled, physically assaulted and threatened by the private respondent Nos. 7 to 20.
2. Mr. Sengupta, learned advocate appearing on behalf of the State submits that as a preventive measure State has already drawn up proceeding under Section 126 of BNSS and also submits that the subject matter of the writ petition is a long standing land dispute between the owner and the bargadar.
3. Learned advocate for the respondent Nos. 19 and 20 submits that unnecessarily the petitioner is indulging in illegal activities over the land of the petitioner.
4. Since there are allegations of physical assault and threat, the petitioner would approach the

Jurisdictional Magistrate under Section 175(3)/223 of BNSS. The Learned Magistrate will conduct a preliminary enquiry and thereafter ascertain whether any cognizable offence is made out and then exercise his discretion to pass any necessary direction in accordance with law. In the meantime police authorities would keep a strict vigil and would ensure that no breach of the peace takes place and/or any untoward incident results because of the inimical relationship between the petitioner and the private respondents.

5. With the above observations, WPA 178 of 2025 is disposed of.
6. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Tirthankar Ghosh, J.)