

28.01.2025
Court No. 35
Item No. 57
(Suvendu)

WPA 1243 of 2025

Vishal Purohit
-Versus-

The State of West Bengal & Ors.

Mr. Moloy Roy
Mr. Kaustav Manna
Ms. Sutapa Upadhyay
.....for the petitioner

Mr. Rajdatta Chattopadhyay
Ms. Risha Das
.....for the private respondent nos. 4- 6

Mr. Suman Ghosh
Mr. Sankha Prasad Roy
.....for the State

Affidavit of service filed on behalf of the
petitioners is taken on record.

Petitioner is aggrieved by the fact that
adjacent land owner has been trying to grab the
property of the petitioner and when petitioner
resisted the same, the respondents abused the
petitioner with slang languages and
unnecessarily entered into altercation. Even on
occasions, the respondents have threatened to
the extent that they would murder the
petitioner.

State has submitted a report prepared by
the Officer-in-Charge of Tarakeswar Police
Station which reflects that police authorities
have drawn up proceeding under Sections

126/135(3) of the Bharatiya Nagrarik Suraksha Sanhita, 2023 against the private respondents. However, police authorities on enquiry have arrived at a conclusion that the offences complained of are non-cognizable. As such, no FIR can be drawn up.

Learned advocate appearing for the private respondents submits that the petitioner has unnecessarily bolstered up the facts with whimsical and manufactured events and as such being a neighbor he is subjected to harassment.

Considering the submissions advanced by the learned advocates appearing for the petitioner, State as well as private respondents, I direct in the event the petitioner is aggrieved he would be at liberty to approach the jurisdictional criminal court praying for appropriate relief. The concerned Magistrate would apply his judicial mind as to whether any case has been made out and accordingly pass necessary direction.

In the meantime, the police authorities are directed to ensure that no breach of peace and tranquility takes place at the locality as also no untoward incident results because of the

inimical relationship existing between the parties.

With the aforesaid observations, WPA 1243 of 2025 is disposed of.

Report so submitted be kept with the record.

Let a copy of the report be handed over to the learned advocates appearing for the petitioner and private respondents.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High, Calcutta.

(Tirthankar Ghosh, J.)