

D/L 132
18.03.2025
Kausik
ct.no.35

W.P.A. 1398 of 2024

**Rama Paul & Anr.
Versus
State of West Bengal & Ors.**

Mr. Sujit Kumar Rath
Mr. Sukumar Sarkar

...for the petitioners.

Mr. Durga Prasad Dutta
Mr. Dibakar Sardar
Ms. Aditi Dutta

...for the respondent no. 6.

Ms. Sonal Sinha
Ms. Shabnam Farooqui

...for the state.

Petitioner is aggrieved by the fact that his representation on 25.11.2023 was not considered by the police authorities and in spite of negotiation held at the behest of the relatives, well-wishers and friends, the accused persons pursued their illegal acts of circulation of videos to defame and ruin the reputation of the petitioner and his family members. In spite of informing the same to the New Town Police Station no action was taken.

I find from the enclosures there were two cases. One being New Town PS Case No. 256/2023 and another being New Town PS Case No. 184/2023. In both the cases police submitted their

report under section 173 of the Cr.P.C. before the jurisdictional court.

In view of the police authorities arriving at their conclusion in respect of New Town PS Case No. 184/2023 that the same is mistake of fact, it would have been proper in the fitness of circumstances for the petitioner to approach the jurisdictional court in seisin of the issue.

So far as New Town PS Case No. 256/2023 is concerned, police authorities have submitted charge sheet under section 387/448/506 of the Indian Penal Code against one Santosh Majumder.

Having considered that the grievance of the petitioner is restricted to New Town PS Case No. 184/2023 where no case exists as on date because of the nature of the report submitted under section 173 of the Cr.P.C., petitioner would be at liberty to approach the jurisdictional court concerned with specific prayers. No interference can be made by invoking the powers of this court under Article 226 of the Constitution of India.

With the aforesaid observations WPA 1398 of 2024 is disposed of.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Tirthankar Ghosh, J.)