

05.02.2025
Item No.57
Ct. No.35
dc.

W.P.A. 1806 of 2025

**Md Nasim alias Nasim Qadri & Ors.
versus
State of West Bengal & Ors.**

Mr. Jawed K. Sanwarwala,
Mrs. Farah Anjum,
Ms. Sadaf Aafrin ... For the Petitioners.

Mr. Suman Sengupta,
Ms. Amrita Panja Moulick ... For the State.

Md. Salahuddin,
Md. Ahsanuzzaman,
Md. Raziuddin ... For the Respondent Nos. 5 & 6.

Md. Nauroz Rahber,
Mr. Amit Ranjan Pati,
Mr. Muhammad Jawwad ... For the Respondent No.8.

Affidavit-of-service filed in Court today be
kept with the record.

Report submitted by the learned advocate
appearing for the State be also kept with the record.
A copy of the report be handed over to the learned
advocate appearing for the petitioner.

The petitioners expressed their grievance to
the Officer-in-Charge, Bowbazar Police Station by
an information dated 19.11.2024 wherein prayers
of the petitioners are for safety and security, to
occupy the part in possession of the property and
for not being implicating them in false criminal
proceedings. So far as the last issue is concerned,
the police authorities have no business to interfere
with the same.

State has submitted a report which reflects
that Bowbazar Police Station Case No. 97 dated

31.05.2024 was registered for investigation and charge-sheet has been submitted on or about 12.12.2024. In view of the investigation which commenced having been ended in a charge-sheet, the jurisdictional criminal court is already in seisin of the matter. As such, the truth or falsity in the accusation is to be tested before the concerned court at the appropriate stage.

So far as the safety and security of the petitioners are concerned, the police authorities would on a specific complaint act in accordance with law.

So far as the possession of the petitioners is concerned, the appropriate Tribunal which is responsible for Wakf property would deal with the same on specific application being made by the petitioners or the concerned respondents.

Since the main thrust was on being implicated in false cases and the fact that charge-sheet has been submitted before the jurisdictional court, I do not find any scope for interference in respect of such accusations.

With the aforesaid observations, the writ petition being WPA 1806 of 2025 is disposed of.

There will 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.)