

06.02.2025
Court No. 35

Item No.62
Rakib

W.P.A. 2139 of 2025
Sudipta Sarkar & Anr.
VS
The State of West Bengal & Ors.

Mr. Sudipta Sarkar.
... for the Petitioners.
Mr. Ashim Kumar Ganguly, Ld. AGP,
Mr. Tarak Karan.
... for the State.

Affidavit-of-service filed by the petitioner be kept with the record.

Petitioner is aggrieved by the fact that the private respondents are interfering with the peaceful enjoyment of the property and are unnecessarily inflicting torture upon the present petitioners, which has resulted in the petitioners approaching the police authorities.

Learned advocate appearing for the petitioners referred to series of documents, drawing the attention of the Court to the torture which has been sustained by the petitioners, and in spite of informing the police authorities no action has been taken.

Learned advocate for the State has submitted a report. Report reflects that a long standing dispute is continuing since the year 2022. Cases have been registered at Narendrapur Police Station on

05.11.2022, 21.04.2023, 16.06.2023, as also lastly on 01.01.2025. Learned advocate for the State submits that since the police authorities have been prompt in registration of the cases they cannot be held responsible for any inaction.

On the other hand learned advocate for the petitioners submits that the petitioners are feeling insecured because of the overt acts of the private respondents.

In view of the series of criminal cases pending and last of the cases initiated at the instance of the private respondent nos.2, I direct that if the petitioners applies before the jurisdictional Magistrate in respect of the series of atrocities inflicted upon her in that case the learned ACJM concerned would consider the threat perception of the present petitioner and would direct the police authorities to submit threat perception report, in view of the history of the series of cases pending. On consideration of such report the learned Magistrate in accordance with the provisions of Witness Protection Scheme, 2018 will pass necessary orders and directions ensuring the safety and security of the witness and his family members.

With the aforesaid observations WPA 2139 of 2025 is disposed of.

Report submitted by the State be kept with the record.

A copy of the report be handed over to the learned advocate appearing for the petitioner.

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.)