

D/L 31
24.02.2025
Kausik
ct.no.35

W.P.A. 2230 of 2024

**Raju Routhroy
Versus
State of West Bengal & Ors.**

Mr. Mukherjee Maity
Ms. Manika Sarkar

...for the petitioner.

Mr. Wasim Ahmed
Mr. Sk. Md. Masud

...for the state.

Petitioner submits that in spite of informing the Officer-in-charge, Bally Police Station in respect of the consequences faced by him at the behest of the private respondents, the police authorities refused to act on the same.

Learned advocate for the State has submitted a report. Report reflects that police authorities, as and when informed, has drawn up general diary entry and also proceedings under section 107/116 of the Code of Criminal Procedure.

The information which was furnished to the police station is of 20.12.2023 and some of the incident referred to is of 2021. However, I find that the petitioner alleged that he suffered voluntary grievous hurt, threat of assault and there was

criminal force inflicted upon him at the behest of the private respondents.

As time has passed in the meantime, I grant liberty to the petitioner to approach the jurisdictional Magistrate under section 223 of the BNSS. Learned Magistrate would assess regarding the factum of whether any cognizable or non-cognizable offence is made out after conducting an enquiry and thereafter exercise his discretion for proceeding in accordance with law.

With the aforesaid observations WPA 2230 of 2024 is disposed.

Report so submitted be kept with the record.

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

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

(Tirthankar Ghosh, J.)