

M/L 10
03.03.2025
Kausik
ct.no.35

W.P.A. 3721 of 2025

**Lal Mohan Mitra
Versus
The State of West Bengal & Ors.**

Mr. Satyendra Agarwal
Mr. Bijoy Bag
Mr. Tarak Nath Sarkar
Mr. Goutam Malik

...for the petitioner.

Mr. Amit Ranjan Pati
Ms. Swastika Chowdhury

...for the private respondent no. 9.

Mr. Swapan Banerjee
Mr. Diptendu Narayan Banerjee

...for the state.

Petitioner is aggrieved by the inaction of the police authorities in spite of informing them on 09.02.2025.

State has submitted a report. Report reflects that the private respondent no. 9 instituted a case under section 175(3) of the BNSS pursuant to which the police authorities being Kotwali Police Station Case No. 79/25 dated 27.02.2025 was registered for investigation under the relevant provisions of BNS, 2023.

I have considered the grievance of the petitioner. However, having regard to the nature of

the dispute complained of, liberty is granted to the petitioner to approach the jurisdictional Magistrate under section 175(3) of the BNSS.

If such an application is filed, the learned Magistrate would assess as to whether any cognizable offence is made out, ascertain whether a case for investigation has been made out and thereafter exercise his/her discretion in accordance with law.

With the aforesaid observations WPA 3721 of 2025 is disposed of.

Report so submitted be kept with the record.

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

(Tirthankar Ghosh, J.)