

D/L 14
10.03.2025
Kausik
ct.no.35

W.P.A. 4306 of 2025

**Saugata Banerjee
Versus
The State of West Bengal & Ors.**

Mr. Nitai Ch. Saha
Mr. Abhijit Ch. Majumder

...for the petitioner.

Mr. Dipanjan Datta, Sr. Govt. Adv.
Mr. Subhajit Chowdhury

...for the state.

Petitioner is aggrieved by the fact that the representation dated 04.01.2025 was not considered by the Deputy Commissioner of Police, Reserve Force (Arms Act Department), Kolkata Police.

I find that the Deputy Commissioner of Police, Reserve Force (Arms Act Department), Kolkata Police has submitted a communication wherefrom it reflects that such a representation was already rejected. The reasons which have been assigned by the Deputy Commissioner of Police, Reserve Force (Arms Act Department), Kolkata Police was on the basis of a case being Kalighat Police Station Case No. 100 dated 14.08.2019 under section 429 IPC read with 11 L of Prevention of Cruelty Act and section 24(1B) of Arms Act for killing

a street dog by shooting from his rifle on 14.08.2019 and the petitioner was taken into custody for a day.

The petitioner was acquitted of the charges as the defacto complainant did not appear before the court. There has been as such a strong objection report of the local police station which are the main reasons which made with the Deputy Commissioner of Police, Reserve Force (Arms Act Department), Kolkata Police in refusing the licence to be renewed in favour of the petitioner.

Having considered that the petitioner has been acquitted of the charges and the prosecution even did not examine the P.M. doctor, the FSL Expert or the Investigating Officer of the case, I am of the view that an acquittal order passed by a court of law until and unless it is set aside should be respected by the administration.

Accordingly, the Deputy Commissioner of Police, Reserve Force (Arms Act Department), Kolkata Police will revisit his order dated 28.02.2025 and pass a fresh order within a period of 4 weeks informing the outcome to the petitioner. The earlier order dated 28.02.2025 is hereby set aside.

With the aforesaid observations WPA 4306 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.)