

Sl.No. 20.02.2025
5
Court
No. 35
G.S.Das

WPA 5538 of 2024
With
CAN 1 of 2024

Mrs. Rekha Bhowmick (Santra) & Ors.
-Vs-
State of West Bengal & Ors.

Mr. Shyamal Roy
... for the petitioner(s)

Mr. Amal Kr. Sen
Mr. Lal Mohan Basu
... for the State - respondent(s)

Report submitted by the State reflects that on the basis of the complaint submitted on 22.02.2024, the police authorities have already registered Daspur P.S. Case No. 103 of 2024 dated 04.03.2024 and, on completion of investigation submitted charge-sheet before the learned jurisdictional Court.

The petitioners are aggrieved regarding the encroachment of government land illegally and forcefully. The genesis of the case relates to affixing of cement pillars and obstruction in free egress and

ingress in front of the residence of the present petitioners.

The petitioner no.1 claims that her husband being associated with the National Investigating Agency (NIA), the local police authorities are not rendering any assistance and creating problem in their personal life.

I have considered the report filed by the State, particularly, the Officer-in-charge of the Daspur police station. There may be problems which are difficult for the police authorities to directly interfere.

So far as the encroachment of the land is concerned, the petitioners should have at least informed to the Panchayat Authorities and, if there were any inaction, could have approached this Court.

So far as the other issues in the village are concerned, appropriate authorities would pass necessary directions

upon the police authorities to act.

In case, the petitioners are of the view and/or are facing circumstances which are continuation and/or repeated offences, the petitioners will bring the same to the notice of the learned Magistrate already *in seisin* of Daspur P.S. Case No. 103 of 2024. The learned Magistrate would modify the condition(s) of bail of the accused so that they are unable to create any problem within the vicinity and/or area and/or at the residence of the present petitioners.

The police authorities would keep a strict vigil and ensure that no breach of the peace and tranquility takes place as also no untoward incident results because of the strained relationship existing between the parties.

With the aforesaid observations, WPA 5538 of 2024 along with CAN 1 of 2024 is disposed of.

Pending application(s), if any, is also disposed of.

Report so submitted be kept with the record. A copy of the report be handed over to the petitioners.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

(Tirthankar Ghosh, J.)