

17.07.2025
Item No.791
Ct. No.35
dc.

W.P.A. 6575 of 2024

**Sri Soumik Samanta
versus
The State of West Bengal & Ors.**

Mr. Tarak Nath Sarkar ... For the Petitioner.

Mr. Tarak Karan ... For the State.

Report submitted by the learned advocate appearing for the State be kept with the record. A copy of the report be handed over to the learned advocate appearing for the petitioner.

The petitioner is aggrieved by the fact that in spite of informing the police station relating to the incident where the petitioner sustained injuries, no steps were taken by Daspur Police Station.

On the other hand, Mr. Karan learned advocate appearing for the State has submitted a report wherefrom it reflects that Daspur Police Station NCR No. 448/2024 dated 12.06.2024 was registered under Section 323 of the Indian Penal Code. Learned advocate for the State further submits that both the petitioner and the private respondents are neighbours who are having their business at Hyderabad and are trying to settle scores within the jurisdiction of Daspur Police Station.

Rebutting such contention advanced on behalf of the State, learned advocate appearing for the petitioner contends that the nature of the

injuries complained of do not at all substantiate that the offence is under Section 323 of the Indian Penal Code.

Since the injury reports and other documents are already in custody of the present petitioner, I direct that the petitioner would be at liberty to file appropriate application under Section 175(3) of BNSS. If the learned Magistrate on assessment, arrives at a finding that the offences complained of are cognizable offence, learned Magistrate will pass necessary directions as he deems fit and proper.

With the aforesaid observations, the writ petition being WPA 6575 of 2024 is disposed of.

Pending connected application, if any, is consequently disposed of.

There will be no order as to costs.

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.)