

Sl.No.

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Court
No. 35

G.S.Das

16.04.2025

WPA 7018 of 2025

Pradip Kumar Sardar

-Vs-

The State of West Bengal & Ors.

Mr. Arindam Chattopadhyay

Ms. Lipika Chatterjee

Mr. Soumik Dey

... for the Petitioner(s)

Mr. Amal Kr. Sen, Id. AGP

Mr. Lal Mohan Basu

... for the State-respondent(s)

The petitioner is aggrieved in respect of the conduct of the private respondents who are threatening him of dire consequences by way of brandishing sharp weapons. It has also been alleged that the private respondents are trying to use his land as a pathway. An information, to that effect, was furnished with the police station, but, till date, no action has been taken by the police authorities, as such, the petitioner is compelled to approach this court.

State has submitted a report which reflects that series of cases are

pending being Chakdah P.S. Case No. 269 of 2024 dated 09.03.2024 which was started on the basis of the complaint of the petitioner, wherein, the investigating agency on conclusion of investigation submitted charge-sheet.

Another information was furnished by one Narayan Das against the petitioner and others when Chakdah P.S. Case No. 250 of 2023 was registered for investigation, wherein, after conclusion of investigation charge-sheet was also submitted.

The report also speaks that series of cases under Sections 107/116 of the Cr.P.C. have been drawn up by the police authorities and, an enquiry, to that effect, has also been conducted relating to demarcation of the property.

However, till date, the dispute and differences are existing between the petitioner and the private respondents.

The grievance of the petitioner, particularly, is with regard to the boundary wall which has been constructed for which vehicles are being parked on the land belonging to the petitioner, which is now being used as a pathway.

If, these are the accusations, the police authorities are not empowered to deal with the same until and unless there are specific directions from a civil court and/or from the appropriate authority.

Having considered the nature of the dispute as also the fact that the petitioner and his family members are being attacked by sharp weapons, if the petitioner is not satisfied with the act and actions of the police authorities, the police authorities would be at liberty to approach the jurisdictional criminal court. The jurisdictional criminal court would assess whether any cognizable offence and/or non-cognizable offence has been made

out, thereafter, pass necessary directions.

So far as the present position is concerned, the police authorities would only ensure that no breach of the peace and/or tranquility takes place as also no untoward incident results because of the strained relationship existing between the parties.

With the aforesaid observations, WPA 7018 of 2025 is disposed of.

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

Report so submitted be kept with the record. Copy of the report be handed over to the learned advocate for the petitioner.

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.)

