

D/L 46
16.04.2025
Bpg.
ct.no.35

W.P.A. 7012 of 2025

**Gopal Chandra Manna & Anr.
Versus
The State of West Bengal & Ors.**

Mr. A. Bhuinya.
...for the petitioners.

Mr. Swapan Banerjee
Mr. Saumen Chatterjee.
...for the State-respondents.

Mr. Shraman Sarkar
Mr. Dhiman Banerjee
Mr. Ishan Sen.
...for the respondent nos. 5 to 7.

Affidavit of service filed by the petitioners be
kept with the record.

Petitioners and the private respondents are
involved in a land dispute. To that effect, earlier a
criminal case was registered being Chandipur Police
Station Case No.169 of 2024. The investigating
agency on conclusion of investigation has already
submitted charge-sheet and the case is pending
before the jurisdictional court. Further accusations of
the petitioners are that till date the private
respondents are threatening.

State has submitted a report which reflects
that whenever complaints have been lodged, General

Diary Entries have been made and proceedings have been drawn under Section 126 of the BNSS.

Learned advocate for the private respondent nos.5 to 7 submits that they have been unnecessarily implicated as accused and they have already been released on bail in connection with Chandipur Police Station Case No.169 of 2024.

I have considered the contentions of the petitioners and at present a court of law is in seisin of the criminal case, if during the pendency of a criminal case the petitioners or their family members who are supposed to be witness to the case are threatened, petitioners will take out an appropriate application before the jurisdictional court in seisin of the issue. The jurisdictional court will call for a threat perception report and thereafter pass necessary directions under the Witness Protection Scheme, 2018.

Police authorities, in the meantime, would ensure that there is no breach of the peace and/or tranquility and/or any untoward incident resulting from the inimical relationship existing between the parties.

With the aforesaid observations, WPA 7012 of 2025 is disposed of.

There will be no order as to costs.

Report submitted by the State be kept with the record.

Copy of the report be handed over to both the parties.

Needless to state that since no affidavits have been called for, the accusations made in the writ petition are deemed not to have been admitted.

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

Urgent photostat certified copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Tirthankar Ghosh, J.)