

D/L 36
17.04.2025
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ct.no.35

W.P.A. 7312 of 2025

**Pranab Majumder
Versus
The State of West Bengal & Ors.**

Mr. Subhas Chandra Dutta
Ms. Soumashree Dutta.
...for the petitioner.

Mr. Subhendu Sen Gupta.
...for the State-respondents.

Affidavit-of-service filed by the petitioner be kept with the record.

Petitioner filed a representation with the Officer-in-Charge, Murutia Police Station accusing the respondent nos.4 and 5 of manufacturing fake title to the property and getting the same registered in their favour. Thereafter, the respondent nos.4 and 5 had been trying to grab whole of the property of the petitioner and when the same is resisted, the said respondents threatened and created a tensed atmosphere. Petitioner apprehends that the private respondents by this manner are trying to conspire thereby intending to kill him.

Learned advocate for the State submits a report which reflects that there is a subject matter of land involved between the petitioner and the private respondents and to that effect there were dispute,

differences as well as violation of peace and tranquility, consequently, police authorities drew up proceedings under Section 126 of BNSS against the respondent nos.4 and 5.

Petitioner also has filed an application under Section 163(2) of the BNSS and the police authorities have, as such, kept strict vigil so that no untoward incident results. So far as preparation of forged deed is concerned if the petitioner is in possession of documents which substantiate such claim, petitioner would be at liberty to approach the jurisdictional Magistrate under Section 175(3) of the BNSS. Learned Magistrate would, in such circumstance, assess regarding factum of whether any cognizable offence is made out and thereafter pass necessary directions relating to investigation, according to the requirement.

So far as other issues are concerned relating to upkeep of the law and order, police authorities have already taken steps, they would continue their surveillance and ensure that no untoward incident results because of the strained relationship existing between the parties.

With the aforesaid observations, WPA 7312 of 2025 is disposed of.

There will be no order as to costs.

Report submitted by the State be kept with the record.

A copy of the report be handed over to the learned advocate appearing for the petitioner.

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.)