

D/L 20
25.02.2025
Kausik
ct.no.35

W.P.A. 7655 of 2023

**Kanan Das
Versus
State of West Bengal & Ors.**

Mr. Amit Kr. Ghosh

...for the petitioner.

Mr. Gouranga Kr. Das
Ms. Poulami Dutta

...for the respondent no. 5.

Mr. Sadhan Kr. Halder
Mr. Abdus Salam

...for the state.

Petitioner is aggrieved by the fact that in spite of informing the police authorities in respect of the assault being inflicted by the private respondents, no steps have been taken and the private respondents till date are pursuing their illegal activities and continuously threatening the petitioner and her relations. Petitioner is an aged lady about 77 years old.

Learned advocate appearing for the State submits that the petitioner did not cooperate with the police authorities and even after receiving the information by speed post, General Diary Entry was recorded but the petitioner did not come to the police station. However, the police authorities conducted

enquiry wherein it surfaced that there was a hot altercation over land dispute but no incident of physical assault took place.

Be that as it may, since the petitioner complains of being physically assaulted and there are medical documents in support of her contention, petitioner would be at liberty to approach the jurisdictional court under section 156(3) of the Cr.P.C. or section 175(3) of the BNSS.

The learned Magistrate would assess whether any cognizable offence is made out, thereafter ascertain whether any case for investigation is made out and pass necessary directions upon the police authorities if required.

Since the incident complained of is in the year 2023, if there are fresh disputes arising, police authorities would take steps in accordance with law.

With the aforesaid observations WPA 7655 of 2023 is disposed of.

Report so submitted be kept with the record.

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.

(Tirthankar Ghosh, J.)