

D/L 205
01.05.2025
Bpg.
ct.no.35

W.P.A.8236 of 2025

**Rajendra Singh Sabharwal
Versus
The State of West Bengal & Ors.**

Mr. Shashwat Nayak
Mr. Shoham Sanyal
Mr. Sumit Biswas
Ms. Rajashree Bhowmick.
...for the petitioner.

Mr. Jayanta Samanta
Ms. Paromita Malakar Dutta.
...for the State-respondents.

Mr. R. Chakraborty
Mr. SSG. Hasnain
Mr. A.Z. Mondal
Mr. Avirup Mondal
Ms. Shahnaz Parveen.
...for the respondent nos.7 & 8.

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

Petitioner is aggrieved by the fact that in
spite of a complaint regarding harassment, threat and
criminal activities of the private respondents informed
to the Beniapukur Police Station, no steps have been
taken.

Learned advocate for the private respondent
nos.7 and 8 submits that series of litigations have
been filed including civil suit pending before the
appropriate forum.

State has submitted a report wherein enquiry was conducted and the information so far as the petitioner is concerned was not substantiated.

Petitioner is aggrieved by the conduct of the police authorities.

Having regard to the nature of the accusations, petitioner, if so advised, would approach the jurisdictional Magistrate under the relevant provisions of law. Learned Magistrate would assess and ascertain as to whether any offence has been made out and accordingly direct whether a case for issuance of process or direction for investigation is at all made out or not.

The police authorities would ensure that there is no breach of the peace and/or tranquility and/or any untoward incident resulting from the strained relationship existing between 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.

It is further directed that the learned Magistrate would independently consider the accusations, if any, brought before the said court and would not be influenced by any observations made by this Court.

With the aforesaid observations, WPA 8236 of 2025 is disposed of.

There will be no order as to costs.

Report submitted by the State be kept with the record.

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.)