

D/L 39
07.05.2025
Kausik
ct.no.35

W.P.A. 9372 of 2025

**Krishnapada Garain
Versus
State of West Bengal & Ors.**

Mr. Sudip Sarkar
Mr. Anindya Sundar Das
Mr. Syed Ali Afzal
Ms. Paramita Mondal
Ms. Suva Gayen

...for the petitioner.

Mr. Debanngshu Dinda (Through V.C.)

...for the State.

Petitioner is aggrieved as the information furnished with the Officer-in-charge, Para Police Station, Purulia was not acted upon.

Petitioner claims that the private respondents forcefully entered into the petitioner's property and when his son resisted, he was subjected to assault with deadly weapons. The respondents also pushed the petitioner for which petitioner sustained injury. Petitioner submits that the very purpose with which the respondents came to the land was for injuring and murdering the petitioner.

Learned advocate appearing for the State submits that a long standing dispute is existing between the present petitioner and the private

respondents. To that effect, steps have been taken. However, so far as the issue relating to the title of the land is concerned, there are orders from the BL&LRO which do not substantiate the claim of the petitioner to have their title.

So far as the injuries that have been complained of in the writ petition dated 09.04.2025 the police authorities called for injury reports which were not submitted and as such the police authorities could not take any steps.

Having regard to the nature of the issues complained of police has already drawn up proceedings under section 126 of the BNSS. In case the petitioner is in custody of medical documents reflecting physical injuries, he would be at liberty to approach the concerned police station again. If the police station is reluctant to take steps within a week from the said date of approaching the concerned police station, petitioner would be at liberty to approach the jurisdictional Magistrate under section 175(3) of the BNSS. Learned Magistrate would enquire as to whether any cognizable offence is made out, ascertain whether a case for investigation is made out and thereafter pass necessary directions upon the authorities concerned.

Police authorities have been keeping a vigil. They would continue their surveillance and ensure that no further untoward incident results because of the nature of dispute complained of.

With the aforesaid observations WPA 9372 of 2025 is disposed of.

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

(Tirthankar Ghosh, J.)