

08.05.2025
Item No.309
Ct. No.35
dc.

W.P.A. 9579 of 2025

Chandu Israpil Mondal
versus
The State of West Bengal & Ors.

Md. Mokaram Hossain,
Mr. Razzak Hossain,
Mr. Salauddin Ahamed,
Md. Naimul Islam,
Mr. Mizanur Rahaman ... For the Petitioner.

Mr. Rajarshi Basu,
Mr. Anirban Datta ... For the State.

Mr. Arindam Sen,
Mr. Saurav Basu ... For the Respondent No.4.

Affidavit-of-service filed in Court today be kept with the record.

Report submitted by the learned advocate appearing for the State be also kept with the record. A copy of the report be handed over to the learned advocate appearing for the petitioner.

The petitioner is aggrieved by the fact that as the information furnished to the Officer-in-Charge, Pandua Police Station on or about 03.04.2025 has not been acted upon.

Learned advocate appearing for the private respondent no.4 on the other hand denies and disputes the contentions advanced on behalf of the petitioner and submits that no cognizable offence was made out. As such, the police authorities did not take any steps.

Learned advocate appearing for the State submits that the police authorities on enquiry

could not find any substantive materials. As such drew up proceedings under Sections 126/135 of BNSS.

In view of the police authorities not finding any cognizable offence being made out, petitioner would be at liberty to approach the jurisdictional Magistrate under the relevant provisions of law. Learned Magistrate would assess whether a cognizable or non-cognizable offence is made out and thereafter would pass necessary directions by exercising his discretion whether to direct for investigation or for issuance of process.

With the aforesaid observations, the writ petition being WPA 9579 of 2025 is disposed of.

There will be no order as to costs.

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

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

(Tirthankar Ghosh, J.)