

Sl.No.
222 15.05.2025
Court
No. 35
G.S.Das

WPA 9992 of 2025

Ashoke Bhowmick
-Vs-
The State of West Bengal & Ors.

Mr. S. Bera
... for the Petitioner(s)

Mr. Somnath Ganguli, Id. AGP
Ms. Kalpita Paul
... for the State-respondent(s)

Mr. Sabir Ahmed
Mr. Tasnim Ahmed
Mr. Dhiman Banerjee
Mr. Quazi E. Ahmed
... for the respondent nos. 4 & 5

The petitioner has informed the Anandapur Police Station *lastly* on 12.03.2025 wherein the police authorities did not respond. The information, *prima facie*, reflects that there is a dispute between the co-sharers. The petitioner claims that he is subjected to threat at the behest of the private respondents. The petitioner further alleges that he is unable to get his possession.

So far as the issue relating to possession is concerned, the learned civil

court is the appropriate authority to decide the same.

However, the police authorities would ensure that no breach of peace and/or tranquility takes place as also ensure there is no threat, as has been complained of by the petitioner, which may instill insecurity in the mind of the petitioner.

The police authorities would further ensure that since the parties are at loggerheads, no cognizable offence results because of any over action at the behest of any of the parties.

However, the petitioner would be at liberty to approach the jurisdictional Magistrate under the relevant provisions of law. The learned Magistrate would assess whether any cognizable offence is made out as also ascertain whether any case for investigation is made out, thereafter, exercise his/her discretion, if required.

With the aforesaid observations,
WPA 9992 of 2025 is disposed of.

Pending application(s), if any, is
also disposed of.

Report so submitted be kept with
the record. Copies of the report be
handed over to both the parties.

Parties to act on a server copy of this
order duly collected from the official website of the
Hon'ble High Court, Calcutta.

(Tirthankar Ghosh, J.)