

23.06.2025
Court No. 35
Item No.57
Rakib

W.P.A. 11787 of 2025

Jhuni Das.
VS
The State of West Bengal & Ors.

Mr. Shamik Chatterjee,
Mr. Aditya P. Mahata,
Mr. Sahil Kabir.
... for the Petitioner.

Ms. Sonal Sinha,
Ms. Ashmita Chakraborty,
Ms. Shabnam Farooque.
...for State.

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

Learned advocate appearing for the petitioner is
aggrieved by the fact that in spite of the information
furnished on or about 30.11.2024 no steps have been
taken by the Tollygunge Police Station and the petitioner
is aggrieved that the private respondents have forcefully
entered into the premises of the petitioner and
constructed a temporary gate, thereby committing
criminal trespass, criminal mischief and criminal
intimidation.

Learned advocate appearing for the State has
submitted a report. Report reflects that the petitioner and
the private respondents are relations and they have a long
standing dispute over the property.

Be that as it may, I have considered the nature of
the accusations made by the petitioner, in view of the
same, I direct that the petitioner would be at liberty to

approach the jurisdictional criminal Court with prayers for relief under Section 223 of the BNSS. Learned jurisdictional criminal Court would assess, ascertain and thereafter pass necessary directions as he deems fit and proper. For the time being the police authorities would keep a surveillance as to whether there has been any breach of the peace and/or tranquility and ensure that there is no possibility of any untoward incident. If such situation arise, police authorities would immediately take steps to prevent the same.

With the aforesaid observations WPA 11787 of 2025 is disposed of.

Report so submitted by the State be kept with the record.

Copy of the report be handed over to learned advocate appearing for the petitioner.

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.)