

D/L 23
25.06.2025
ct.no.35
Kausik

W.P.A. 11898 of 2025

**Bidhan Kumar Mallick
Versus
State of West Bengal & Ors.**

Mr. Dilip Kumar Maiti
Mr. Uttam Kumar Kamila

...for the petitioner.

Mr. Siddhartha Sarkar
Ms. K. Kubra

...for the respondent Nos. 7 to 9.

Mr. Tarak Karan

...for the State.

Learned advocate appearing for the petitioner submits that petitioner is aggrieved by the fact that the information which was advanced to the Inspector-in-Charge, Gopalnagar Police Station was not dealt with and/or responded to by the police authorities. Petitioner complains that there has been interference at the behest of the private respondents who have misappropriated the joint family fund, committed mischief and destroyed public property.

Learned advocate appearing for the private respondent nos. 6 and 7 disputes and denies the contentions and submits that wild allegations have been made by the petitioner to foist a criminal case upon the private respondents who are relations.

State has submitted a report. Report reflects that as and when information has been received the police authorities have taken appropriate steps and lastly on the report so submitted, proceedings under section 126 of the BNSS has been drawn up by the police authorities.

Be that as it may, having considered the nature of representation so furnished, if the petitioner is aggrieved by the inaction of the police, petitioner would approach the jurisdictional Magistrate under section 175(3)/223 of the BNSS. Learned Magistrate would assess and ascertain the truthfulness of the allegations and pass necessary directions as he deems fit and proper.

Needless to state that the learned Magistrate will independently take a decision without being influenced by any observations made by this Court.

Police authorities would continue their surveillance and ensure that no breach of the peace and/or tranquility takes place and/or any untoward incident results because of the strained relationship existing between the parties.

With the aforesaid observations WPA 11898 of 2025 is disposed of.

Report so submitted be kept with the record.

A copy of the report be handed over to both the parties.

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

(Tirthankar Ghosh, J.)