

17.07.2025
Court No. 35
D/L. No.83
Rakib

W.P.A. 14243 of 2025

**Asraf Ali Molla
VS
The State of West Bengal & Ors.**

Mr. Debarshi Brahma
Mr. Subarna Bank
...for the Petitioner.
Mr. Somnath Ganguly, AGP,
Mr. Manas Kumar Sadhu
...for the State.
Mr. S. Kr. Das
Ms. Shabana Khatun.
...for Respondent nos.7 to 12.

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 informing the police authorities on or about 27.04.2025 no steps have been taken and the petitioner being a disabled person has been thrown out of the residence.

State has submitted a report. Report reflects that Uttar Kashipur PS Case no. 42/25 dated 15.05.2025 has been registered for investigation under the relevant provisions of BNSS, Arms Act and Rights of Persons with Disabilities Act, 2016.

Having considered that the State has already taken appropriate steps, I am of the view further directions are unwarranted. However, the petitioner claims that he is being threatened by the accused persons. In case such an eventuality takes place, police

authorities would take harsher steps against the accused persons.

Learned advocate for the respondent no. 7 to 12 submits that the petitioner has falsely implicated the accused persons and the background of the case relates to land dispute.

Having regard to the nature of the sections which has been incorporated and which includes Section 118(1)/109 of BNSS, I am of the view that such contention at this stage cannot be accepted. Police authorities would continue the investigation and ensure that the disabled person do not suffer from any insecurity because of overt acts of any individual who may be associated with the case.

With the aforesaid observations WPA 14243 of 2025 is disposed of.

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

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.)