

D/L 62
11.08.2025
Bpg.
ct.no.35

W.P.A.14043 of 2025

**Sk. Rajab Ali
Versus
The State of West Bengal & Ors.**

Mr. Monojit Bhattacharyya
Ms. Sumitra Bhattacharyya
Mr. Diptoraj Chakraborty.
...for the petitioner.

Mr. Suman Ghosh
Mr. Arka Mondal.
...for the State-respondents.

Mr. Sabyasachi Chatterjee
Mr. Subhrajit Saha
Mr. Badrul Karim
Mr. Kiron Sk.
Mr. S. Roy
Mr. Arif Khan
Mr. Sayed Hossain.
...for the private respondents.

Petitioner approached this Court being aggrieved as he was unable to enter his residence. Earlier, it was reported to this Court that Tamluk Police Station after drawing up Zero FIR, forwarded the same to Bhagawanpur P.S., consequent to which, Bhagawanpur Police Station Case No.294 of 2025 dated 06.07.2025 was registered for investigation.

The main grievance of the petitioner was that the petitioner was compelled to flee away. Consequently, a direction was passed upon the Superintendent of Police, Purba Medinipur to assess

the correctness of the facts after conducting an exhaustive enquiry as to whether at the point of gun the petitioner had to leave the residence and flee away from the district of Purba Medinipur because of the atrocities being inflicted upon him by the private respondents.

Today, a report has been submitted by the Superintendent of Police, Purba Medinipur wherein assessment has been made in respect of the earlier directions passed by this Court. According to the report, the principal accused has been arrested. Judicial statement of three main witnesses have been recorded under Section 183 of the BNSS and two other witnesses till date did not turn up, statement under Section 180 of the BNSS have been recorded, details of DSR-I, Tamluk has been obtained and it has been categorically stated that the petitioner also has taken huge debt from the FIR named accused person as well as other persons of the locality. There are other documents which are required.

Since the investigation is already in process and the main grievance of the petitioner was that he is unable to stay at the locality and the Superintendent of Police submits that the principal accused has already been arrested in connection with the case on 05.08.2025, it would be the wisdom of the

petitioner to enter the residence. If he is faced with inconvenience, he will report to the local police station who will take steps in accordance with law.

Since the investigation has commenced and is on the process, the same be taken to its logical conclusion. Further pendency of the writ petition is unwarranted.

Accordingly, WPA 14043 of 2025 is disposed of.

There will be no order as to costs.

Report submitted by the State be kept with the record.

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

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

(Tirthankar Ghosh, J.)