

21.04.2025
Court No. 35
Item No.210
Rakib

W.P.A. 16733 of 2024

Debashis Gayen.
VS
The State of West Bengal & Ors.

Mr. Manojit Bhattacharya,
Mr. Dinesh Pani.
... for the Petitioner.
Mr. K.J. Yusuf, Ld. AGP,
Mr. Sourav Chowdhury
...for State.

Petitioner is aggrieved by the act and action of the private respondents who flexed their muscles and took away one of the employees namely, Debashish Gayen. To that effect petitioner informed Kharagpur (Local) Police Station but no steps have been taken by the said police authorities.

Learned advocate for the State has submitted a report. Report reflects that the police authorities have submitted a prosecution report by way of Kharagpur (L) Police Station NCR no. 712/24 dated 11.07.2024 under Sections 351(2)/3(5) of the BNS.

Steps have been taken by the police authorities which may not be to the satisfaction of the present petitioner who has faced the incident at the hands of the accused persons. Considering the same, I am of the view if the petitioner is aggrieved by the act and action of the police authorities, petitioner would take out an application before the learned ACJM, Kharagpur in seisin of the case. Learned ACJM or the jurisdictional

Magistrate in seisin of the issue would pass necessary directions for applicability of the sections under the relevant provisions of BNS, 2023 for which information was furnished to the police Station.

With the aforesaid observations, WPA 16733 of 2024 is disposed of.

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

A copy of the report be handed over to the 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.)