

30.07.2025
Item No.19
Ct. No.35
dc.

W.P.A. 16108 of 2025

Himadri Das
versus
The State of West Bengal & Ors.

Mr. Dyutiman Banerjee,
Mr. Vishal Mallick ... For the Petitioner.

Ms. Rupsha Chakraborty,
Mr. Shibasish Banerjee ... For the State.

Affidavit-of-service filed in Court today be kept with the record.

Report submitted by the learned advocate appearing for the State be also kept with the record.

The petitioner is aggrieved by the fact that in spite of specific accusations made against the private respondent no.4, no steps have been taken by the Inspector-in-Charge, Hasnabad Police Station.

On the other hand, State has submitted a report which reflects that T.S. No.109 of 2024 is pending before the civil court. There are accusations which have been enquired into. Police authorities on a gross enquiry over the issues which have been complained of arrived at their individual opinion that the dispute between the petitioner and the private respondent is civil in nature and the police authorities have kept a vigil so that no untoward incident results.

Having considered that the police authorities could not unearth any cognizable offence, I grant

liberty to the petitioner that in case the petitioner has documents in his custody to substantiate his claim, he would approach before the learned Judicial Magistrate under Section 175(3) of BNSS. Learned Magistrate would assess and ascertain regarding the genuinity of the accusations and thereafter pass necessary directions as he deems fit and proper.

With the aforesaid observations, the writ petition being WPA 16108 of 2025 is disposed of.

There will be no order as to costs.

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.)