

06.02.2025
Court No. 35

Item No.15
Rakib

W.P.A. 17331 of 2024

Usmal Ali Gazi.
VS
The State of West Bengal & Ors.

Mr. Debarshi Brahma,
Mr. Subarna Bank.
... for the Petitioner.
Mr. Vimal Kumar Shahi, Ld. AGP.,
Ms. Pratiti Das.
... for the State.

Petitioner is aggrieved by that fact that as the petitioner has instituted a case being complaint 456/2022 dated 29.04.2022 by way of counter blast the private respondents set the criminal law into motion against the petitioner also being Sonarpur PS case no. 750/2022 and Sonarpur PS case no. 685/2022 which was registered for investigation. Petitioner complains that he is being harassed by the investigating officer and an acknowledgment is not being given to him when he attended the police station in compliance with the conditions imposed while being released on bail.

State has submitted a report. Report mainly deals with Sonarpur PS case 456/2022 dated 29.04.2022 wherein charge-sheet has been submitted and trial is progressing.

Petitioner happens to be CSW1 in the said case.

Having regard to the nature of grievance which has been expressed in the main writ petition, I am of the view that so far as the local police station is concerned and the compliance of the Court's order being obstructed by a public servant the same must be first brought to the notice of the learned Court which is in seisin of Sonarpur PS case no. 750/2022 and Sonarpur PS case no. 685/2022. If such an application is filed before the learned Court in seisin of the aforesaid two cases it would deal with the same in accordance with the law.

With the aforesaid observations WPA 17331 of 2024 is disposed of.

Report 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.)