

D/L 45
01.08.2025
ct.no.35
Kausik

W.P.A. 16658 of 2025

**Gobindo Sarkar
Versus
The State of West Bengal & Ors.**

Mr. Md. Nauraz Rahber
Mr. Muhammad Jawwad
Ms. Shahin Parveen

...for the Petitioner.

Mr. Arka Tilak Bhadra
Mr. Sumanta Mondal

...for the respondent nos. 5 to 8.

Mr. Suman Sengupta
Mr. Anirban Sarkar

...for the State.

Affidavit of service filed be kept with the record.

Petitioner is aggrieved by the fact that the representations which were advanced in the month of March, 2025 and April, 2025 to the police authorities were not considered.

Learned advocate for the State has submitted a report. Report reflects that Habra PS Case No. 691/24 dated 13.12.2024 was registered for investigation at the behest of the present petitioner.

The investigation of the said case is over and charge sheet has been submitted before the

jurisdictional Court. A counter-case being Habra PS Case No. 692/24 dated 12.12.2024 was also registered for investigation which was against the present petitioner.

Be that as it may, the report reflects that the private respondents supported the family of Prabin Roy and others and as such the petitioner and the present respondents are at loggerhead. Consequent to which an enmity has developed and the petitioner has been issuing complaints.

Learned advocate for the private respondents submits that so far as the criminal cases are concerned till date they have not been implicated in any case and presently the petitioner is after them for initiation of case.

Having considered the fact that criminal cases are pending, if the petitioner and his family members are insecured they would approach the learned Magistrate for necessary protection under the Witness Protection Scheme, 2018. However, so far as the informations which have been furnished on 13.03.2025 and 28.04.2025, since the police authorities did not proceed and/or take steps, petitioner would approach the jurisdictional Magistrate under the relevant provisions of Section 175(3) of the BNSS. Learned Magistrate would

assess and ascertain the accusations and thereafter pass necessary directions as he deems fit and proper.

Police authorities would ensure that no breach of the peace and/or tranquility and/or any untoward incident results because of the inimical relationship existing between the petitioner and the private respondents.

With the aforesaid observations WPA 16658 of 2025 is disposed of.

Report so submitted 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.

(Tirthankar Ghosh, J.)