

07.08.2025
Court No. 35
D/L. No.15
Rakib

W.P.A. 17206 of 2025

Arup Sarkar
VS
The State of West Bengal & Ors.

Ms. Sabnam Majumder
Ms. Kalpita Paul
...for the Petitioner.
Ms. Munmun Tewary
Mr. Rabiul Islam
...for the State.

Affidavit-of-service filed by the petitioner be kept with the record.

Petitioner is aggrieved by the fact that he has been harassed, humiliated and his crops have been taken away by the private respondents and there has been constant interference, although, the petitioner is enjoying the property for a considerable period of time.

Learned advocate for the State has submitted a report. Report reflects that police authorities have drawn up proceedings under Sections 126/135(3) of the BNSS.

Petitioner claims that since the crops have been forcefully taken away by the private respondents a cognizable offence transpires.

Be that as it may, having regard to the nature of the issue and the primary materials required, I direct the petitioner to take steps under Section 175(3) of the BNSS before the jurisdictional Magistrate, jurisdictional Magistrate would assess and ascertain regarding the

genuinity of the allegations and thereafter pass necessary directions as he deems fit and property.

In the meantime, police authorities would oversee that in case there is any violation of law and order the same should not be allowed to blow out of proportion.

With the aforesaid observations WPA 17206 of 2025 is disposed of.

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

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.)