

04.08.2025

Item No.34

Ct. No.35

dc.

W.P.A. 17214 of 2025

**Jahangir Mondal
versus
State of West Bengal & Ors.**

Mr. Abhisekh Halder,
Mr. Omar Faruk Gazi,
Mr. Maidul Islam Kayal,
Ms. Susmita Das ... For the Petitioner.

Mr. Suman Sengupta,
Ms. Munmun Tewary ... 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. A copy of the report be handed over to the learned advocate appearing for the petitioner.

The petitioner is aggrieved by the fact that in spite of direction passed by learned Civil Judge (Senior Division), Basirhat in T.S. No. 334 of 2025, upon the Inspector-in-Charge, Basirhat Police Station to implement the injunction order, yet pursuant to such order being passed, the petitioner's brick field was vandalised and was set ablaze at the behest of the private respondents.

State has submitted a report which reflects that pursuant to the information so received, Basirhat P.S. Case No. 687 dated 01.08.2025 has been registered under Sections 223/326(g)/3(5) of BNS.

Having considered that the police authorities have already registered a case under Section 326(g) of BNS, 2023, police authorities, *prima facie*, have found an offence to have been committed for setting ablaze the brick field as well as the property of the petitioner which has been alleged in the writ petition. As such there is corroboration in the version of the petitioner which is *prima facie* reflecting from the report submitted by the State. Having considered the same, I direct the investigating agency to trace out the persons involved who have taken the law in their own hands being aware regarding the existence of civil court's order and take steps against them and also take the investigation of the case to its logical conclusion.

In the meantime, the police authorities would keep their surveillance and ensure that no breach of the peace and/or tranquility takes place at the locale.

Mr. Sengupta, learned advocate appearing for the State submits that the petitioner should cooperate with the investigation of the case as certain signatures are required.

In view of the aforesaid, learned advocate appearing for the petitioner submits that the petitioner would approach the police station for extending necessary cooperation.

With the aforesaid observations, the writ petition being WPA 17214 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.)