

D/L 12
25.08.2025
ct.no.35
Kausik

W.P.A. 18663 of 2025

**Avijit Roy
Versus
The State of West Bengal & Ors.**

Mr. Amitabha Karmakar
Mr. Arup Kr. Bhowmick

...for the petitioner.

Mr. Ranjit Rajat

...for the State.

Petitioner is aggrieved by the fact that he is unable to carry on business or reside at the premises which belongs to him and the same is because of the pendency of Patashpur PS Case No. 573/23 dated 04.11.2023. It has been further submitted that presently the said case is at the stage of consideration of charges and it is the defacto complainant and their associates who are obstructing the petitioner's entry into the said locality.

Police authorities have submitted a report wherein it reflects that proceedings have been drawn up under section 126 BNSS against the respondents.

Be that as it may, since the genesis of the dispute is arising from a criminal case which relates

to sessions triable offences under section 302/364 of IPC amongst others, there may be a local issue involved. The Sessions Court which is in seisin of Patashpur PS Case No. 573/23 will call for a report from the police authorities, assess the ground reality and thereafter pass necessary directions so far as the issue relating to the petitioner being prevented from either carrying on business or for residing at his own premises.

With the aforesaid observations WPA 18663 of 2025 is disposed of.

Report submitted be kept with the record. Copy of the report be handed over to the learned advocate appearing for the petitioner.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Tirthankar Ghosh, J.)