

M/L
Item No. 823
12.08.2025
KOLE
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WPA 20422 of 2024

**Saifuddin Molla
-Vs.-
The State of West Bengal & Ors.**

Mr. Dipankar Bhakta,

.... For the petitioner.

*Mr. Somnath Ganguli,
Mr. Bikash Goswami,*

.... For the State.

Mr. K. Dudhwewala,

.... For the respondent no. 7.

The petitioner approached this Court being aggrieved by the inaction of the police authorities.

Learned Advocate for the State submits that the petitioner and the private respondent were engaged in a land dispute. To that effect the petitioner filed a civil suit being TS Case No. 404 of 2024 which is pending before the learned Civil Judge, 3rd Court at Serampore.

Police Authorities at the relevant point of time also drew a proceeding under Section 126/135(3) of the BNSS.

Learned Advocate appearing for the private respondent submits that FIR was registered at the instance of the private respondent and investigation of the same case is continuing.

Having regard to the nature of the accusation made and the fact that the information which was furnished with the Police Authorities is on 29.07.2024, I am of the view that since the police authorities did not register any case, the petitioner would if he is aggrieved by the action of the police authorities would approach the jurisdictional Magistrate under the

relevant provisions of law. The learned Magistrate would assess and ascertain regarding the genuinity of the allegations and pass necessary directions as he deems fit and proper.

Mr. Ganguly, learned Advocate for the State is assisted by Mr. Bikash Goswami. His appointment should be regularized by the concerned authority.

With the aforesaid observations, WPA No. 20422 of 2024 stands disposed of.

Report submitted by the State be kept with the records.

Parties shall act on the basis of server copy of this order duly downloaded from the website of this Hon'ble Court.

(Tirthankar Ghosh, J.)