

D/L 24
04.09.2025
Bpg.
ct.no.35

W.P.A.20251 of 2025

**Abu Taleb Mandal
Versus
The State of West Bengal & ors.**

Mr. D.K. Adhikari
Mr. Debdip Adhikari
Mr. Kousik Sahoo.
...for the petitioner.

Mr. Jayanta Samanta
Ms. Shayani Das.
...for the State-respondents.

Mr. Q.A.M Firoz
Ms. Torsa Min Bahar.
...for the respondent nos.6, 7, 8 & 10.

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

Petitioner is aggrieved by the fact that in
spite of Baduria P.S. Case No.413 of 2025 having
been registered for investigation on or about
02.08.2025, no steps have been taken by the police
authorities and the accused persons are roaming
freely.

State has submitted a report. Report reflects
that case has been registered under Sections
338/336(3)/340(2)/318(4)/61(2) of BNS.

Having considered that the verification of the
documents are part and parcel of the said

investigation, the police authorities have already sent requisition to the ADSR, Baduria. Report also reflects that statement of the witnesses have been recorded.

Considering the fact that the police authorities are working on the issue and awaiting the report of the ADSR, Baduria, I am of the view that police authorities are investigating the case. However, so far as the issue relating to arrest is concerned, it would be the discretion of the police authorities in the fact and situation of the case whether to arrest or not to arrest the accused persons.

Report also reflects T.S. No.20 of 2022 is pending and there is a status quo order which has been passed by the learned Civil Judge (Senior Division), Basirhat.

In view of the present set of circumstances existing, police authorities would oversee that there is no breach of peace and would also take into account that the situation is not blown out of proportion.

With the aforesaid observations, WPA 20251 of 2025 is disposed of.

There will be no order as to costs.

Report so submitted be kept with the record.

A 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.

Urgent photostat certified copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Tirthankar Ghosh, J.)