

D/L 21
11.09.2025
ct.no.35
Kausik

W.P.A. 20716 of 2025

**Sambhunath Das
Versus
The State of West Bengal & Ors.**

Mr. Debabrata Ray
Ms. Sarbani Mukhopadhyay
Mr. Soumik Mondal

...for the Petitioner.

Mr. Wasim Ahmed
Mr. Harun Al Rashid

...for the State.

Petitioner is aggrieved by the inaction of the police authorities particularly the information which was sent to the Inspector-in-Charge, Naihati Police Station on 22.06.2025. Petitioner enclosed a document relating to a treatment at Naihati State General Hospital. Medical document enclosed also reflects that the incident is of 22.06.2025. The report submitted by the police authorities also reflects that hot altercation took place between the petitioner and the respondent no. 5 & 6.

Be that as it may, learned advocate emphasized that petitioner earlier undergone a bypass surgery in the year 2022 and knowing such fact, fully well that the respondent no. 5 struck at the chest of the petitioner. So far as the allegation

regarding physical assault is concerned, categorically it has been stated in the report that on enquiry ASI, Liton Sarkar, Naihati Police Station found that the allegation of physical assault is not substantiated. This has been reduced by way of a General Diary Entry No. 1224 dated 22.06.2025.

Having considered that the police report are to the dissatisfaction of the petitioner and till date no steps have been taken, petitioner would be at liberty to approach the Jurisdictional Magistrate under section 175(3) of the BNSS. Learned Magistrate will assess regarding the initial allegation which was furnished, the medical documents which are available with the petitioner, call for a report and thereafter pass necessary directions as he deems fit and proper.

With the aforesaid observations WPA 20716 of 2025 is disposed of.

Report so 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.)