

Sl.No. 07.02.2025
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Court
No. 35
G.S.Das

WPA 21614 of 2024

Subal Tudu & Ors.
-Vs-
The State of West Bengal & Ors.

Mr. K. C. Das
Mr. Sk. Sahjahan
Mr. M. Rahman
... for the petitioner(s)

Mr. Suman Sengupta, Id. Sr. Govt. Adv.
Mr. Gourav Das
... for the State-respondent(s)
Ms. Pampa Dey (Dhabal)
Ms. Sabera Khatun
... for the private respondent nos.
14, 15, 20, 21, 24

The petitioners are aggrieved by the fact that in spite of informing the police authorities relating to atrocities created by the private respondents, no action has been taken, as such, the petitioners have suffered at the hands of the private respondents.

Mr. Sengupta, learned Senior Government Advocate, appearing on behalf of the State, on earlier occasion, had submitted a report prepared by the Inspector-in-charge of Egra Police Station,

which reflects that Egra Police Station Case No. 424 of 2024 was registered for investigation. Subsequently, on completion of the investigation, charge-sheet has been submitted on or about 14.08.2024.

Learned advocate for the petitioner complains that the provisions of SC&ST(PoA), Act, 1989 has not been incorporated.

As charge-sheet has already been submitted before the learned jurisdictional Magistrate, it would be the duty of the informant and/or the defacto-complainant to address his/their grievance(s) under the relevant provisions of 173(8) of the Cr.P.C. before the learned jurisdictional Court concerned, which has accepted the charge-sheet and taken cognizance on the charge-sheet.

Learned advocate for the private respondent nos. 14, 15, 20, 21 and 24, submits that the accusations are frivolous

and the same is with the object of grabbing the *patta* of their land.

Taking the overall consideration of the dispute between the parties and the steps taken by the police authorities, I am of the view that the only remedy, at present, available after the police has taken step/action is regarding the merits of the criminal case, wherein, the police authorities have already closed their investigation. As such, the petitioner is directed to approach the jurisdictional criminal court *in seisin* of the matter.

With the aforesaid observations, WPA 21614 of 2024 is disposed of.

Pending application(s), if any, is also disposed of.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

(Tirthankar Ghosh, J.)

