

22.09.2025
Item No.42
Ct. No.35
dc.

W.P.A. 21408 of 2025

**Omar Farooq Molla
versus
The State of West Bengal & Ors.**

Mr. Nirmalendu Bera,
Ms. Tanim Nandy ... For the Petitioner.

Ms. Anwari Quraishi,
Mr. Soumyadeep Chakraborty ... For the State.

Mr. Sabyasachi Bhattacharjee,
Mr. Suman Nandi ... For the Respondent Nos.4, 5 & 6.

Affidavit-of-service filed in Court today be kept with the record.

Report submitted by the learned advocate appearing for the State be also kept with the record.

Petitioner is aggrieved by the inaction of the police authorities. It has been complained by the petitioner that on 26.08.2025, a representation was furnished with Magrahat Police Station, but no steps have been taken.

State has submitted a report which reflects that there are three cases pending. In one of the cases the petitioner himself has been allegedly involved in assaulting police officers.

Learned advocate appearing for the private respondent nos. 4, 5 and 6 submits that the present petitioner is arraigned in number of criminal cases. Additionally, it has been submitted that the usage of crops and fishes of the Trust on personal purpose without consent of the members of the Trust is without any foundation of law and

the same has been alleged for invoking the powers of the police authorities.

There is a long standing existing dispute. Be that as it may, since the factual circumstances portrayed by the police authorities canvass a different picture from the representation which has been made to Magrahat Police Station, I grant liberty to the petitioner to approach the jurisdictional Magistrate under Section 175(3) of BNSS. Learned Magistrate would assess and ascertain regarding the genuinity of the allegations and pass necessary directions as he deems fit and proper.

With the aforesaid observations, the writ petition being WPA 21408 of 2025 is disposed of.

There will be no order as to costs.

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

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

(Tirthankar Ghosh, J.)