

D/L 44
25.09.2025
ct.no.35
Kausik

W.P.A. 22639 of 2025

**Samaresh Sukait
Versus
The State of West Bengal & Ors.**

Mr. Mridul Kanti Sasmal

...for the Petitioner.

Mr. Amit Baran Dash
Ms. Ankana Sarkar

...for the respondent nos. 6 & 8.

Mr. Subrata Santra

...for the respondent no. 9.

Mr. Vivekananda Bose, Ld. Jr. St. Counsel
Mr. Amadipta Sengupta

...for the State.

Petitioner complains that in spite of criminal cases having been registered being Kolaghat PS Case No. 348/25 and Panskura PS Case No. 712/25 no effective steps have been taken by the police authorities.

Petitioner has grievance regarding Kolaghat Police Station.

Learned advocate for the respondent nos. 6 and 8 submits that a civil suit is pending being J.Misc. (P) 90 of 2024.

Be that as it may, so far as the police authorities are concerned, I find that in connection

with Panskura PS Case charge sheet has already been submitted. So far as Kolaghat PS Case is concerned, the investigation of the case is still in progress.

Petitioner's prayer before this Court is for arresting the accused persons. Arrest is a prerogative of the investigating officer, provided the investigating officer feels the same to be necessary as part and parcel and requirement of the investigational process. However, so far as the protection relating to the property is concerned since the civil court is already in seisin of the issue it would be for the civil court to decide the issue.

Police authorities will act in case civil court passes specific directions in respect of the property.

With the aforesaid observations WPA 22639 of 2025 is disposed of.

Report 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.)