

D/L 44
27.03.2025
Kausik
ct.no.35

W.P.A. 25142 of 2024

**Lakshminarayan Mohanta
Versus
The State of West Bengal & Ors.**

Ms. Sumana Mukherjee
Ms. Sutapa Das

...for the petitioner.

Mr. Wasim Ahmed
Mr. Harun-Al-Rashid

...for the state.

Petitioner complains that the private respondent no. 5 being a relation has been inflicting torture upon him in order to grab his property. It has been submitted by the learned advocate that on several occasions the petitioner was physically assaulted and in spite of informing the police station no steps have been taken.

Learned advocate has drawn the attention of the court in respect of the representation made to the Inspector-in-charge, Bardhaman Sadar Police Station on or about 19.09.2024.

Report submitted by the State reflects that police authorities in respect of the incident of 12.05.2024 conducted an enquiry but was not satisfied with the same. However, a proceeding was

drawn up subsequently on or about 05.11.2024 under section 126/135 of the BNSS.

The daughter of the petitioner complained on or about 11.07.2024 wherein Burdwan PS Case No. 673/2024 dated 11.07.2024 was registered for investigation and subsequently charge sheet was submitted.

From the report I do not find that the police authorities did not deal with the accusations made, so far as 12.05.2024 is concerned substantial time has passed since the information was furnished to the police authorities.

Accordingly, I grant liberty to the petitioner to approach the jurisdictional Magistrate under section 175(3) of the BNSS. Learned Magistrate would consider the same in accordance with law and exercise his discretion.

With the aforesaid observations WPA 25142 of 2024 is disposed of.

Report so submitted be kept with the record.

Copy of the report be handed over to the learned advocate 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.)