

Sl.No. 19.02.2025
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Court
No. 35
G.S.Das

WPA 24214 of 2023

Pradip Satpati & Anr.
-Vs-
The State of West Bengal & Ors.

Mr. Sankar Prasad Dalapati
Mr. Pritam Choudhury
Mr. Tamal Taru Panda
... for the petitioner(s)
Mr. Sk. Md. Galib
Mr. Abu Siddique Mallik
... for the State-respondent(s)
Mr. Atish Biswas
Mr. Sudip Kr. Dutta
Ms. Sritama Dutta
... for the private respondent (s)

The petitioners are aggrieved by the inaction of the police authorities as, in spite of they being assaulted and heckled at the behest of the private respondents and the same being informed to the police authorities, no action has been taken by the police authorities.

State has submitted a report which reflects that the police authorities on receipt of the information on or about 21.09.2023 drew up a proceeding under

Section 107 of the Cr.P.C. on 29.09.2023.

Learned advocate for the respondent nos. 4 to 8 submits that the disputes and differences originate from a property, and, as such, the respondents were assaulted.

Rebutting such contentions, learned advocate for the petitioners submits that the petitioners were also assaulted.

From the contentions of both the parties, it is transparent that there is regular disputes and differences between the petitioners and the private respondents.

However, since the police authorities did not find any cognizable offence, they did not register any case.

In view of the aforesaid, I grant liberty to the petitioners to approach the jurisdictional Magistrate. The jurisdictional Magistrate would assess whether any cognizable offence is made out and as to whether any case for investigation has

been made out.

If the learned Magistrate after consideration of the same is of the opinion, he/she will exercise his/her discretion and pass necessary order(s) in accordance with law.

In the meantime, the police would ensure that no breach of peace and tranquility takes place as also no untoward incident results because of the inimical relationship existing between the parties.

With the aforesaid observations, WPA 24214 of 2023 is disposed of.

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

Report so submitted be kept with the record. Copies of the report be handed over to both the parties.

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.)

