

D/L 14
07.02.2025
Kausik
ct.no.35

W.P.A. 25841 of 2024

**Samir Akhtar
Versus
State of West Bengal & Ors.**

Mr. Sabyasachi Chatterjee
Ms. Pratiti Das

...for the petitioner.

Mr. Dipanjan Datta
Ms. Sukanya Datta

...for the state.

Petitioner is aggrieved by the fact that the private respondents are disturbing the peaceful enjoyment of the property which belongs to him. In fact, there have been allegations that the private respondents have with the aid of local hooligans and other influential persons dismantled the boundary wall and cut down the trees of the petitioner.

To that effect, information was furnished to the local police station but no action has been taken. Further presently the petitioner is subjected to threat at the behest of the private respondents.

Mr. Datta, learned Senior Government Advocate appearing on behalf of the State submits that at the relevant point of time on receipt of the information, Narayanpur PS Case No. 160/2024 dated 20.08.2024 was registered for investigation and

the police authorities after completion of the investigation has submitted charge sheet against 5(five) accused persons.

Police authorities, in order to ensure that there is no violation of any peace and/or tranquility, have drawn up proceedings under section 126 of the BNSS.

However, since the petitioner has alleged that he is subjected to threat, I grant liberty to the petitioner to take out an appropriate application before the learned ACJM, Barrackpore or the jurisdictional Magistrate in seisin of Narayanpur PS Case No. 160/2024. Concerned Magistrate would call for a threat perception report from the police station concerned and pass necessary directions under the Witness Protection Scheme, 2018.

It would be the duty of the police officers to continue maintaining the surveillance thereby ensuring that no untoward incident results because of the inimical relationship existing between the parties.

With the aforesaid observations WPA 25841 of 2024 is disposed of.

Report so submitted be kept with the record.

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

(Tirthankar Ghosh, J.)