

WPA 27445 of 2025

Md. Hafizur Rahaman
Vs.
The State of W.B. & Ors.

Ms. Madhumita Basak
Mr. Sayan Mukherjee ...for the petitioner.

Mr. Ranjit Rajak ...for the State.

Md. Yunush Mondal ...for the private respondents.

Affidavit of service filed by the petitioners and report submitted by the State are taken on record.

Heard learned counsels for the parties.

Learned counsel for the petitioner submits that the property in question is a joint undivided property and a title suit is pending with regard to the same.

The private respondents are disturbing the peaceful possession of the petitioner in the property and have also assaulted him for which he lodged several complaints before the police authority which were not acted upon. The private respondents have been threatening him with dire consequences.

Learned counsel for the private respondents submits that they are co sharers in respect of the property and a civil suit is pending between the parties.

Learned counsel for the State submits that pursuant to the complaints lodged by the petitioner, prosecution under Section 126 of the BNSS has been submitted.

It appears that the complaint lodged by the petitioner on 25th November, 2025 has not been registered as FIR. The petitioner is at liberty to approach the jurisdictional Magistrate under Section 175 of the BNSS for redressal of his grievance.

In the meantime, the police authority shall keep strict vigil in the area in order to avoid any untoward incident and to ensure maintenance of peace and tranquility.

Such vigilance shall be monitored by the Superintendent of Police, Basirhat police district in view of the fact that the petitioner has alleged that the local police authority is hand in gloves with the private respondents.

The writ petition is accordingly disposed of.

There shall, however, be no order as to costs.

Since no affidavit is invited, the allegations contained in the writ petition are deemed not to have been admitted.

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

(Suvra Ghosh, J.)