

**18.02.
2025**

Ct. No. 08

Ab

**FMA 23 of 2025
IA No. CAN 1 of 2024**

**Subir Moshat and others
Vs.
The State of West Bengal and others**

**Mr. Suddhasatva Banerjee,
Mr. Supratic Roy,
Mr. Shuvajit Roy.**

... for the appellants.

**Mr. Rajarshi Basu,
Mr. Ananda Dulal Sarkar.**

... for the State.

The appellants do not appear to be the aggrieved persons as the Trial Court while disposing of the writ petition has taken into account the facts so pleaded and the reliefs, which could be granted to the appellants.

There is a serious apprehension in the mind of the appellants as a victim of a crime at the behest of some of the private respondents and, in fact, filed a complaint before the concerned Police Station, which was subsequently registered as First Information Report and after the completing of investigation, the charge-sheet is also submitted to the concerned Court.

It cannot be said that the Police Authorities have not taken any steps pursuant to the complaint or the allegations having made against the private respondents. Even the Single Bench while disposing of the writ petition observed that the Officer in-Charge of the Jhargram Police Station is directed to see that no breach of peace takes place at the locale.

Despite such order having passed in the writ petition, the present appeal is filed and the Counsel for the appellants submits that the learned Single Judge omitted to include something more while granting relief

and, therefore, the appellants are the aggrieved persons. It is sought to be contended that there would be lot of resistance and threat may be perpetrated at the time of raising the boundary wall and, therefore, the learned Single Judge ought to have taken into account the aforesaid aspect.

We are not impressed with the aforesaid submissions. It does not appear that the Police Administration has not taken any steps as and when approach was made by filing a complaint. Even the complaint was treated as First Information Report and after investigation, the charge-sheet is submitted not only once but twice.

We do not find any incongruity in the decision as the sufficient protection has already been extended to the appellants and, therefore, no interference is called for.

With these observations, the appeal and the connected application being CAN 1 of 2024 are disposed of.

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

(Harish Tandon, J.)

(Partha Sarathi Chatterjee, J.)

