

D/L- 117
30/01/2025
Ct. No.-35
Aritra

WPA 28688 of 2024

**Prasanta Kumar Mondal
Versus
The State of West Bengal & Ors.**

Mr. Manoranjan Mahata
Mr. Ziaul Haque
Mr. Amit Bikram Mahata
...for the petitioner

Mr. Rajarshi Basu
Mr. S.T. Mina
....for the State

Mr. Biswajit Koner
Mr. Arijit Mahinder
....for the private respondent Nos.4 to 6

A report has been submitted on behalf of the State pursuant to the earlier direction dated 13/12/2024.

Petitioner sent an information to the Officer-in-Charge, Gosaba Police Station which was dated 18/11/2024.

Police authorities enquired regarding the incident dated 18/11/2024 from the local persons but it was reported to the police authorities by the local persons that they did not notice any incident of physical assault or issues relating to the petitioner's wife being molested.

In view of the report of the police authorities which is disputed by the petitioner, I grant liberty to

the petitioner to approach the jurisdictional magistrate by invoking the provisions of Section 175 (3) of the BNSS or under Section 223 of the BNSS. The concerned magistrate would check whether cognizable offence is made out and whether a case for investigation has been made out and thereafter pass necessary orders if required. In the meantime police authorities would ensure that there is no breach of the peace and/or tranquility and/or any untoward incident because of the strained relationship existing between the petitioner and the private respondents.

With the aforesaid observations, the writ petition being WPA 28688 of 2024 is disposed of.

Report so submitted be kept with the record.

Copy of the report be handed over to both the parties.

There shall be no order as to costs.

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

(Tirthankar Ghosh, J.)