

M/L 65
16.01.2025
Kausik
ct.no.35

W.P.A. 30542 of 2024

**Sanjay Das
Versus
The State of West Bengal & Ors.**

Mr. Indranath Mukherjee
Mr. Dipak Kr. Bhattacharjee
Mr. Argha Bhattacharjee

...for the petitioner.

Mr. Swapan Banerjee, AGP
Ms. Sumita Shaw

...for the state.

Petitioner approached this court as his representation dated 29.11.2024 with the Inspector-in-Charge, Lake Town Police Station was not acted upon.

Learned advocate appearing for the petitioner submits that subsequently in connection with Lake Town Police Station Case No. 428/2024 petitioner was granted bail.

The investigation in connection with Lake Town Police Station Case No. 428/2024 has been completed and the charge sheet has been submitted as is reflected from the report submitted by the Inspector-in-Charge, Lake Town Police Station.

The report so submitted also reflects that earlier the mother of the petitioner also filed a complaint on the basis of which Lake Town Police Station Case No. 359/2024 was registered for investigation and on conclusion of investigation charge sheet has been filed against the private respondent on or about 26.11.2024.

Having considered that the police authorities have effectively taken steps and the dispute and difference is amongst the relations, particularly brother, sister and the mother, I am of the view that the parties will approach before the appropriate civil courts for adjudicating their disputes.

So far as the criminal courts are concerned, the charge sheet in Lake Town Police Station Case No. 359/2024 as well as Lake Town Police Station Case No. 428/2024 has been submitted.

As in both the cases charge sheet has been submitted, I direct that both the cases must be tried by one and the same court, in view of the dictum of the Hon'ble Supreme Court in *Sudhir & Ors. Etc. vs. State of M.P. Etc.* (2001) 2 SCC 688.

As the parties are at loggerhead, the concerned police station would keep a strict vigil and would ensure that no breach of the peace takes place at the locale and/or no untoward incident results

because of the inimical relationship existing between the parties.

With the aforesaid observations WPA 30542 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.)