

D/L 83
24.01.2025
Bpg.
ct.no.35

W.P.A.30715 of 2024

**Ahmad Ameer Khusro
Versus
The State of West Bengal & Ors.**

Ms. Sayoni Chowdhury.
...for the petitioner.

Ms. Ipsita Banerjee
Mr. Debangshu Dinda.
...for the State-respondents.

Mr. Moyukh Mukherjee
Mr. Abhijit Singh
Ms. Sarmistha Basak
Mr. Souvik Palodhi.
...for the respondent no.4.

Affidavit-of-service filed by the petitioner be
kept with the record.

Petitioner is aggrieved by the inaction of the
police authorities in respect of alleged incident which
took place on 9th June, 2023 and in spite of efforts
the police authorities did not register any FIR, as
such, the superior officer was informed on 1st
November, 2024.

A report has been submitted by the State
which encloses G.D. Entry No.581 dated 10.11.2024
wherefrom the police authorities recorded after a
message regarding the previous history wherein it has
been admitted that on 09.06.2023 at around 11.10

hours hot altercation took place between the parties. However, according to the police authorities, no cognizable or non-cognizable offence was detected. Report of the police authorities also reflects that at the behest of the private respondent no.4 earlier a case was registered being Bhatpara P.S. Case No.636 of 2023 dated 05.09.2023. The same has also ended in charge-sheet.

In view of the accusations in the representation made to Inspector-in-Charge, Bhatpara Police Station that a mob of 40 to 50 persons with deadly weapons entered into the residence and that the CCTV footage would clearly indicate the same, I grant liberty to the petitioner to approach the jurisdictional Magistrate under Section 175(3) of the BNSS. Learned Magistrate would take into account the accusations as to whether any cognizable offence has been made out and thereafter pass necessary orders under the relevant sections of law. In the meantime, police authorities would keep a strict vigil and ensure that no untoward incident results because of the inimical relationship existing between the petitioner and the private respondent no.4.

With the aforesaid observations, WPA 30715 of 2024 is disposed of.

There will be no order as to costs.

Report submitted by the State 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.

Urgent photostat certified copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Tirthankar Ghosh, J.)