

Sl.No.
51 14.01.2025
Court
No. 35
G.S.Das

WPA 30861 of 2024

Mohan Majumdar
-Vs-
The State of West Bengal & Ors.

Ms. Sonali Bhar
... for the petitioner(s)

Mr. Suman Ghosh
Mr. Sankha Prasad Roy
... for the State-respondent(s)
Mr. Manas Das
Mr. Asraf Mondal
Mr. Tushar Sil
... for the respondent nos. 5 to 10

The petitioner is aggrieved by the
progress of investigation of Tehatta P.S.
Case No. 741 of 2024 dated 06.10.2024.

According to the petitioner, the
investigating authorities neither took any
step for arresting the accused persons nor
any effort was taken for recovery of the
logs which were obtained by the private
respondents by cutting the existing trees.

Learned advocate appearing on

behalf of the State submits a report which reflects that six accused persons were found to be involved and they were served with notices under Section 35(3) of the BNSS, subsequently, they appeared before the learned jurisdictional court and were released on bail.

So far as the other grievance of the petitioner is concerned regarding recovery of the logs, there were two seizure lists dated 6.10.2024, which reflects that number of logs have been recovered by the police authorities in course of the investigation.

It has been submitted on behalf of the State that the learned Magistrate was pleased to release some of the logs on bond in favour of the respondent no.7.

The petitioner is aggrieved by the order passed by the learned Magistrate. In such cases, the petitioner, if so advised,

would preferably invoke the revisional jurisdictional under the provisions of BNSS.

Learned advocate appearing for the private respondent nos. 5 to 10 submits that the land belongs to them and, as such, they could convince the learned Magistrate.

Be that as it may, the ownership of the property is not the domain of this Court to decide. It would be for the appropriate civil forum to decide regarding the same.

In view of the steps taken by the investigating agency in course of the investigation, I am of the opinion that the grievance expressed by the petitioner, at this stage, cannot be interfered with.

However, the petitioner is at liberty to approach the jurisdictional Magistrate with specific prayer(s) for

expressing his grievance.

With the aforesaid observations,
WPA 30861 of 2024 is disposed of.

Report so submitted be kept with
the record. Let a copy of the report be
handed over to the learned advocate for
the petitioner.

Parties to act on a server copy
of this order duly collected from the
official website of the Hon'ble High Court,
Calcutta.

(Tirthankar Ghosh, J.)