

D/L 15
17.01.2025
Kausik
ct.no.35

W.P.A. 30940 of 2024

**Syamal Mondal
Versus
State of West Bengal & Ors.**

Mr. Susmita Saha Dutta
Mr. Niladri Saha
Mr. Dipjyoti Chakraborty
Ms. Madhurima Basu

...for the petitioner.

Mr. Ayan Bhattacharjee, Sr. Adv.
Mr. Soumyadeb Sinha
Ms. Suranjana Chatterjee

...for the respondent no. 5.

Mr. Swapan Banerjee
Ms. Sumita Shaw
Mr. Soumen Chatterjee

...for the state.

Petitioner is aggrieved by the act and action of the police authorities as the petitioner claims that he has been coerced to transfer his land under the garb of providing alternate land. A sum of Rs. 4,00,000/- were transferred but which were again subjected to be refunded for that according to the petitioner he has been receiving threats.

State has submitted a report. Police authorities have prima facie enquired and found that there are accusations but the complaints being

related to property should be adjudicated by the appropriate forums.

In view of the nature of the accusations made by the petitioner and the police authorities not responding to the information/communication addressed by the present petitioner, I grant liberty to the petitioner to approach the jurisdictional court under section 175(3)/section 223 of the BNSS.

Learned jurisdictional court will assess regarding the materials furnished as to whether any cognizable or non-cognizable offence is made out. The learned court will see even if a cognizable case is made out whether a case of investigation is made out or not. After exercising such discretion the learned court would pass necessary orders.

Since the petitioner apprehends that the life and liberty of the petitioner may be at stake I direct that in case the petitioner complains to the police authorities in respect of any violation of law at the behest of the private respondents or their associates police authorities will enquire and take steps in accordance with law.

With the aforesaid observations WPA 30940 of 2024 is disposed of.

Report so submitted be kept with the record.

Copies of the report be handed over to the parties.

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

(Tirthankar Ghosh, J.)