

D/L 62
14.01.2025
Kausik
ct.no.35

W.P.A. 30977 of 2024

**Shyamal Kumar Singha
Versus
State of West Bengal & Ors.**

Mr. Partha Pratim Roy
Mr. Sarbananda Sanyal
Ms. Poulami Chakraborty

...for the petitioner.

Mr. Joydeep Banerjee
Mr. Subhra Nag

...for the state.

Affidavit of service so filed be kept with the record.

Petitioner complains that the respondent no. 4 occupied the shop room by looting the articles which were there in his possession.

Such incident was reported to the police authorities. But the police authorities did not take any steps.

Learned advocate for the state has submitted a report. Report reflects that the police authorities disputes such incident having at all taken place.

In view of the factual dispute between the petitioner and the police authorities, petitioner would be at liberty to approach the jurisdictional criminal court under section 175(3) of the BNSS, 2023. The

learned jurisdictional Magistrate will exercise its discretion in accordance with law.

In the meantime, police authorities would keep a strict vigil and would ensure that no breach of the peace and/or tranquility takes place in view of the inimical relationship existing between the petitioner and the respondent no. 4.

With the aforesaid observations WPA 30977 of 2024 is disposed of.

Report so submitted be kept with the record.

Copy of the report be handed over to the learned advocate appearing for the petitioner.

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

(Tirthankar Ghosh, J.)