

Court No. 2
(1545)

Calcutta High Court
In the Circuit Bench at Jalpaiguri
Appellate Side

27.10.2025
(JPD 14)

WPA 1841 of 2025

(S. Banerjee)

Krishna Sarkar
Vs.
The State of West Bengal & Ors.

Mr. Hillol Saha Podder

... for the petitioner

Ms. Bedashruti Bose
Mr. Sandip Guha Roy

... for the State

Affidavit of service filed in court today is taken
on record.

None appears for the private respondents.

Petitioner alleges inaction on the part of the police authorities. The grievance of the petitioner is that in spite of specific complaint lodged by the petitioner disclosing cognizable offence, no FIR has been registered by the petitioner till date. The petitioner further alleges that the private respondent no. 11 is the daughter-in-law of the petitioner. The respondent no. 11 along with other private respondents, have assaulted the petitioner who is a senior citizen and has driven him out of his own

house. He further submits that the police authorities be directed to ensure that the petitioner can reenter his house and live peacefully thereat.

The learned advocate appearing for the State submits that pursuant to the complaint lodged by the petitioner, Pundibari PS Case 747/25 dated August 29, 2025 under Sections 126(2)/115(2)/117(2)/351(3)/3(5) BNS has been registered and the investigation of the case is proceeding. She further submits that the private respondent no. 11, namely Tapasi Sarkar has also lodged one complaint against the petitioner which resulted in registration of Pundibari PS Case No. 337/25 dated April 12, 2025.

Heard learned advocates for the respective parties and perused the materials placed.

This court finds that there are complaints and counter-complaints by the private parties against each other.

It appears from the report filed by the Officer-in-Charge, Pundibari PS that on a complaint lodged by the petitioner vide letter dated August 29, 2025, an FIR has already been registered and the investigation of the case is proceeding. It further

appears from the said report that a charge-sheet being no. 492/25 dated May 31, 2025 under Sections 85/329(4)/115(2)/351(3)/3(5) of BNS has been submitted against the FIR-named accused person in respect of the complaint lodged by the respondent no. 11. It will be open to the petitioner to take steps in accordance with law.

The investigating officer is directed to conclude the investigation in connection with Pundibari Police Station Case No. 747 of 2025 dated August 29, 2025 as early as possible and in accordance with law.

The petitioner claims to be a senior citizen. In view thereof, the petitioner is left free to approach the appropriate forum in accordance with law with regard to the relief for recovery of possession in respect of the property in question.

With the above observations and directions the writ petition stands disposed of.

(Hiranmay Bhattacharyya, J.)