

02.02.2026
rc/ct.no.05
Item No.23

WPA No. 1209 of 2026
Wanish Sk.
Versus
The State of West Bengal & Ors.

Mr. Sayan Banerjee
Ms. Suparna Dutta
Ms. Tusi Naskar ..for the Petitioner

Mr. Suman Ghosh
Mr. Monirujjaman ...for the State

Report submitted by the State is taken on record.

Learned counsel for the petitioner submits that the petitioner opposed an unauthorised construction attempted to be raised by the accused by filling up a pond and filed a writ petition in this regard. After the writ petition was filed, the petitioner and his family members were severely assaulted and threatened by the accused who pressurized them to withdraw the writ petition. The petitioner's father lodged a complaint before the police authority through email in this regard on December 16, 2025 which was not acted upon. They were severely assaulted by the accused and sustained grievous injuries for which the petitioner's father lodged a further complaint before the police authority on December 30, 2025 and specific case was registgered. The petitioner is unhappy with the progress in investigation and alleges that graver provisions of law were not incorporated though the petitioner and his

family members sustained grievous injuries. The petitioner also seeks police protection.

Learned counsel for the State submits that there is a long standing land dispute between the petitioner and the accused. A complaint was lodged against the petitioner on December 29, 2025. The petitioner lodged complaint on December 30, 2025. Both the complaints have been registered as FIRs and investigation is in progress. The police has been keeping strict vigil in the area and shall render necessary protection to the petitioner as and when required. The police authority has executed the order passed by the learned Executive Magistrate under Section 163(2) of the BNSS and prosecution has been submitted under Section 126 of the BNSS.

It appears that there is a long standing dispute between the petitioner and the accused. The writ petition filed by the petitioner is pending. Both the complaints have been registered as FIRs and investigation is in progress.

Upon consideration of the submission made on behalf of the parties, this Court directs the Investigating Officer of both the cases to conduct investigation in a fair and unbiased manner and take the same to its logical conclusion in accordance with law.

The police authority shall continue surveillance in the area in order to avoid any untoward incident in view

of the strained relationship between the petitioner and the accused and shall ensure maintenance of peace and tranquility. The police authorities shall also render necessary assistance as and when sought.

The writ petition is disposed of.

There shall, however, be no order as to costs.

Since no affidavit is invited, the allegations contained in the writ petition are deemed not to have been admitted.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh,J)