

WPA 5258 of 2026

**Hazi Nasimuddin Molla
Vs.
The State of West Bengal & Ors.**

Mr. Indrajit Bhattacharjee
...for the petitioner

Mr. Suman Ghosh
Mr. Sankha Prasad Roy
...for the State

1. Affidavit of service filed on behalf of the petitioner is taken on record.
2. Learned advocate representing the petitioner submits that on 7th January, 2026 private respondents by entering into the land of the petitioner assaulted him and threatened him with dire consequences.
3. Petitioner lodged a complaint dated 7th January, 2026 by one letter which was received by the police authorities on 12th January, 2026. It is also disclosed in the communication dated 18th March, 2026 that on enquiry it was found that the dispute between the petitioner and private respondents is civil in nature since the dispute pertains to land in question. However, concerned police

authorities submitted a prosecution vide AJC Bose B. Garden PS NCR No. 49/2026 dated 14th February 2026 under Section 126 BNSS apprehending possibility of breach of peace at the place in question. Copy of the communication dated 18th March, 2026 of Officer-in-Charge, AJC Bose Botanic Garden Police Station, Howrah City Police is taken on record.

4. As the disputes between the petitioner and private respondents is concerning land apart from maintaining peace and tranquility at the locale police has no role to play.
5. Hence, writ petition stands disposed of.
6. However, concerned police authorities are directed to maintain peace and tranquility at the locale.
7. Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)