

14 **06.04.2026**
(ML) Court No. 05
 (Suvendu Mukherjee)

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
(APPELLATE SIDE)

WPA 7679 of 2026

Rajendranath Adhikari
–Versus –

The State of West Bengal & Others

Mr. Kaushik Choudhury
Mr. S. Hazra
Mr. Dwaipayan Panda
.....for the petitioner

Mr. Asim Kumar Ganguli
Mr. Subrata Das Gupta
.....for the State respondents

Mr. Abhijit Ch. Majumder
.....for the respondent no. 6

- 1) Affidavit of service filed on behalf of the petitioner is taken on record.
- 2) It is submitted on behalf of the petitioner that a complaint was lodged against the respondent no. 6 who is son of tenant of the petitioner in connection with a shop room alleging assault and outraging modesty of petitioner's daughter-in-law. In order to prevent such untoward incident in future, petitioner being senior citizen prays for direction upon the concerned police authority to provide protection.

3) Respondent no. 6 is represented by learned advocate who has disputed the submission made on behalf of the petitioner and has submitted that mother of respondent no. 6 is tenant of shop room in question owned by the petitioner. It is submitted that a suit was instituted by the petitioner which was dismissed for default on 14th December, 2017.

4) State respondents are represented by learned advocate who has submitted a communication dated 5th April, 2026 of Inspector-in-Charge of Raiganj Police Station, Raiganj Police District, Uttar Dinajpur and same is taken on record. Copies of said communication are made over to learned advocates representing the petitioner and respondent no. 6.

5) It is disclosed in said communication dated 5th April, 2026 that based on the complaint lodged by the petitioner against the private respondent one criminal prosecution being Raiganj Police Station Case No. 42/2026 dated 13th January, 2026 was initiated under certain provisions of Bharatiya Nyaya Sanhita, 2023 and same was culminated into charge-sheet being Raiganj Police Station Charge Sheet No. 72/2026 dated 31st January, 2026.

6) On the contrary, respondent no. 6 also lodged a complaint based on which another criminal prosecution being Raiganj Police Station Case No. 41/2026 dated 13th January, 2026 was initiated under certain provisions of Bharatiya Nyaya Sanhita, 2023 and after completion of investigation charge-sheet was filed being

Raiganj Police Station Charge Sheet No. 145/2026 dated 28th February, 2026.

7) According to the State respondents, there are complaint and counter complaint by the petitioner and respondent no. 6 resulting in initiation of separate criminal prosecutions and in both the criminal prosecutions charge-sheets have been filed.

8) In view of submissions made on behalf of the petitioner, State respondents and respondent no. 6 and taking note of the contents of the communication dated 5th April, 2026, it appears that charge-sheets were filed by the concerned police authority in connection with two separate criminal prosecutions being Raiganj Police Station Case Nos. 42/2026 and 41/2026 both dated 13th January, 2026. Therefore petitioner and respondent no. 6 shall be at liberty to approach the jurisdictional Magistrate, if occasion so arises.

9) Hence, no further order need be passed on the writ petition.

10) However, concerned police authority shall maintain peace and tranquility in the locale and keep vigil.

11) Writ petition stands disposed of.

12) There shall be no order as to costs.

13) Urgent photostat certified copy of this order, if applied for, be given to the parties on usual undertaking.

(Saugata Bhattacharyya, J.)