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jdt. 19.01.2026
jb.

WPA 22709 of 2025
(Sunil Kumar Barua vs. State of West Bengal & Ors.)

Mr. Saikat Chatterjee
.... For the Petitioner
Ms. Sumita Shaw
Mr. Soumen Chatterjee
.... For the State

Affidavit of service filed by the petitioner and the report submitted by the State are taken on record.

None appears for the private respondents despite service.

The petitioner complains that he paid Rs.1,21,000/- as loan to the private respondents in several installments which was liable to be repaid within a stipulated period of time despite which the private respondents have failed to repay the same and are also threatening him with dire consequences. The private respondents are pressurising the petitioner to withdraw the complaint in connivance with the police.

It appears that enquiry has been held pursuant to the complaint lodged by the petitioner and it has been found that the issue pertains to breach of contract.

Upon holding enquiry, the complaint lodged by the petitioner has been diarised and prosecution is also submitted under Section 126 of the BNSS.

Upon consideration of the submission made on behalf of the parties, this Court is of the view that since the primary prayer of the petitioner is for repayment of

loan by the private respondents, he is at liberty to approach the appropriate forum for redressal of his grievance.

In the meantime, the police shall keep strict vigil in the area in order to avoid any untoward incident in view of the strained relationship between the parties and shall ensure maintenance of peace and tranquility. The police shall also ensure protection of the petitioner and also that he is not pressurised to withdraw the complaint lodged by him.

The writ petition is accordingly disposed of.

There shall be no order as to costs.

Since no affidavit has been invited, allegations contained in the writ petition shall be deemed not to have been admitted.

Urgent certified website copy of the order, if applied for, be given to the parties on compliance of requisite formalities.

(Suvra Ghosh, J.)