

January 9, 2026
(13) ARDR

WPA 25151 of 2025

Pranab Chandra Das
Vs.
The State of West Bengal & ors.

Adv. Md. Mozammel Hossain,
Adv. Sandipan Maity,
Adv. Bithin Mandal,
Adv. Somen Gayen,

... for the petitioner.

Adv. Arkadipta Sengupta,

...for the State.

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

Learned counsel for the petitioner submits that the property in question originally belonged to the father of the petitioner and after his demise, the petitioner, his mother and brother have inherited the same. The petitioner has been residing with his family elsewhere for his job. Taking advantage of his absence, the private respondents who are rank outsiders trespassed into the property, damaged the same and stole valuable articles therefrom. The petitioner lodged complaint before the police authority which has not been acted upon.

It appears from the report submitted by the State that pursuant to the complaint lodged by the petitioner, enquiry was held. The property was found abandoned and there was no substantial evidence in support of the allegations made by the petitioner. Prosecution has been submitted under Section 126 of the BNSS.

Upon consideration the submission made on behalf of the parties, this Court is of the view that in the event the

petitioner is aggrieved by the steps taken by the police authority, he is at liberty to approach the jurisdictional Magistrate under Section 175 of the BNSS for redressal of his grievance. In the meantime, the police authority shall continue surveillance in the area in order to avoid any untoward incident and to ensure maintenance of peace and tranquility.

The writ petition is accordingly disposed of.

There shall however, be no order as to costs.

Since no affidavit is invited, the allegations contained in the 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.)