05th Oct., 2026

Item no.ML 32
Court No. 758

Rohit, A.R.(Ct.)

In the High Court at Calcutta

Constitutional Writ Jurisdiction
Appellate Side

Case No. **WPA 28772 of 2024**

In the matter of :

Deb Kumar Panda.

....Petitioner

VS.

The State of West Bengal & Ors.

....Respondents

For the Petitioner :

Ms. Dibyanjona Das

....Advocate

For the State :

Mr. Dibashis Basu, A.G.P
Ms. Sneha Dutta
Mr. Purnendu Das
Mr. Chandrachur Lahiri

...Advocates

1. The instant writ petition has been filed, inter alia, with a prayer that a First Information Report be registered and investigated into in terms of the complaint dated 17.11.2024 written by the petitioner to the Kakdwip police station.

2. A report was called for from the local police station. Learned Advocate for the State has submitted a report dated 29th September, 2026 wherefrom it appears that pursuant to a complaint made by the petitioner regarding an incident of 30th September, 2024 a G.D. vide Kakdwip P.S. GDE No. 1631 dated 30.09.2024 was registered. The petitioner then alleged that on 22nd October, 2024 he received threatening text messages on his mobile phone. On 6th November, 2024 the petitioner was abused near

a temple and his mobile phone was snatched. He was further threatened to be killed in the event he does not leave the village where he resides.

3. The petitioner also alleges that on 15th November, 2024 the petitioner was assaulted by Bijoy Kumar Das, a private respondent.

4. It appears that the allegations made by the petitioner constitute cognizable offences and the petitioner would, therefore, be at liberty to approach the jurisdictional magistrate court with an appropriate application under Section 175 of the BNSS for registration of the FIR, if so advised.

5. The report from the police station also reveals that a proceeding under Section 126 BNSS was drawn up on 09.10.2024 against three private respondents named herein. The report further reveals that a criminal case being Kakdwip P.S. Case No. 287/24 dated 11.12.2024 under Section 126(2)/115(2)/76/78/351(2) BNS was registered against the petitioner which has resulted into submission of a charge-sheet being Kakdwip PS Charge-sheet No. 8 of 2025 dated 31.01.2025 under Section 126(2)/74/351(2), BNS.

6. While the criminal case filed against the petitioner is not a subject matter of the instant proceeding, the instant writ petition is disposed of with liberty to the petitioner to approach the Court of Judicial

Magistrate with an appropriate application for registration of an FIR if so advised. If such application is filed the same shall be disposed of in accordance with law.

7. It is clarified that this Court has not expressed its opinion on the allegations made by the petitioner or against the petitioner.

8. Accordingly, **W.P.A 28772 of 2024** is disposed of on the above observations without any order as to costs.

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

(Anuj Singh, J.)