
(2019) 09 CAL CK 0170

In the Calcutta High Court

Case No : Writ Petitions (WP) No. 16427 (W) Of 2019

Bula Roy & Ors

APPELLANT

Vs

State Of West Bengal & Ors

RESPONDENT

Date of Decision : 03-09-2019

Acts Referred:

Code Of Criminal Procedure, 1973 — Section 107, 144

Citation : (2019) 09 CAL CK 0170

Hon'ble Judges : Debangsu Basak, J

Bench : Single Bench

Advocate : Pabitra Biswas, Sudipto Panda, Munmun Tewary, Arunava Maiti

Final Decision : Disposed Of

Judgement

Debangsu Basak, J

The petitioners complain of police inaction.

Learned advocate appearing for the petitioners refers to a complaint dated July 8, 2019 and submits that, the safety of the petitioners who are senior citizens should be ensured.

State and the private respondent are represented.

Learned advocate appearing for the State submits that, the complaint dated July 8, 2019 of the petitioners was inquired into. On inquiry, the police learnt that, the petitioners and the private respondent are co-owners of an immovable property. There subsists an order passed by the Executive Magistrate under Section 144 of the Criminal Procedure Code, at the behest of the private respondent. The police, on inquiry, submitted a prosecution under Section 107 of the Criminal Procedure code.

Learned advocate appearing for the private respondent submits that, there is a suit for declaration and injunction being Title Suit No.522 of 2019 pending before the Court of the Civil Judge, Junior Division at Barasat in respect of the

immovable property concerned and that, there subsists an order of status quo.

Apparently, there are civil disputes between the private parties relating to an immovable property concerned. There is also a civil suit being Title Suit No.522 of 2019 pending in which, there subsists an order of status quo with regard to the suit property. There is also an order under Section 144 of the Criminal Procedure Code. The police inquired into the complaint dated July 8, 2019 and submitted a prosecution under Section 107 of the Criminal Procedure Code.

In view of the police taking action, as noted above, it cannot be said that, the police are guilty of inaction. No interference is called for.

W.P. No.16427 (W) of 2019 is disposed of without any order as to costs.

Urgent certified website copies of this order, if applied for, be made available to the parties upon compliance of the requisite formalities.