
(2018) 03 CAL CK 0010
In the Calcutta High Court
Case No : W.P. 4416(W) of 2018

SAIDUL MULLICK

APPELLANT

Vs

THE STATE OF WEST BENGAL & ORS.

RESPONDENT

Date of Decision : 23-03-2018

Acts Referred:

Constitution of India, 1950 — Article 226

Citation : (2018) 03 CAL CK 0010

Hon'ble Judges : SHEKHAR B. SARAF, J

Bench : Single Bench

Final Decision : Disposed Of

Judgement

1. On mentioning by the petitioner in person the matter is taken up for hearing treating the same as on dayâ??s list.
2. This is an application under Article 226 of the Constitution of India challenging the inaction on the part of the respondent authorities with respect to a certain complaint being made by the petitioner herein.
3. The facts of the case are that on March 2, 2018, a meeting had been held between two groups of the villagers staying at Basulichak village, Arambagh, in respect of accounts of the annual Jalsa festival that was held in the village. In the said meeting, tempers raged high that resulted in violence. Subsequently, violence took place in the village that resulted in the death of one person and grievous injury to several others. F.I.R. had been lodged by one group of the villagers on which action has been taken by the police authorities including arrest of five persons.
4. It is the submission of Mr. Samar Dey, Sub-Inspector of Police, Arambagh Police Station, who is present in Court today, that the petitioner and his

family members left their own houses as the petitioner's brothers and other family members were involved in the said incident. Several other

peoples are also absconding from their own houses in the said village as they are suspected of having been involved in the above incident. Mr. Dey

further submits that police authorities have already arranged police picket in the said village and also have a police mobile car for keeping the vigil in

the area to maintain peace and tranquility.

5. It is the petitioner's case that the police authorities have till date not lodged F.I.R. on the various representations and complaints having been

filed by the petitioner. It is the submission of the petitioner that the police authorities are saying that unless the absconders who are involved in the

criminal incident are apprehended, no protection can be given to them.

6. In view of the above facts and circumstances of this case and after hearing the petitioner in person and Mr. Samar Dey, Sub-Inspector of Police,

Arambagh Police Station, I am of the opinion that the police should treat the present writ petition as a complaint and lodge an F.I.R. in respect of

the same. The police authorities are directed to immediately assist the petitioner and his family members in entering the village and to take steps such

as placing another police picket in the centre of the village and maintain day and night vigilance by using the R.T. mobile in the area.

7. The writ petitioner and his family members are directed to contact the Officer-in-Charge, Arambagh Police station and the Officer-in-Charge,

Arambagh Police Station is directed to coordinate with the petitioner and his family members to ensure their entry into the village by tomorrow, i.e.

March 24, 2018 and also ensure that hooligan elements are not found roaming around in the said village.

8. With the above directions, this writ petition is disposed of.

9. All parties are to act immediately on the basis of the server copy downloaded from the High Court website.