

20-06.2019
Court No.3
Sh/04.

**CIRCUIT BENCH OF
CALCUTTA HIGH COURT
AT JALPAIGURI
WRIT APPELLATE JURISDICTION
APPELLATE SIDE**

W.P.A. 102 of 2019

Ashima Saha. . . . Petitioner.
Vs.
State of West Bengal & Ors. .Respondents.

Mr. Pintu Kumar Deb.
. . .For the Petitioner.
Mr. Subir Kumar Saha,
Ms. Bedashruti Basu.
. . .For the State.

Affidavit of service filed in Court today be taken on record.

It has been submitted by the learned advocate appearing on behalf of the petitioner that all the respondents have been duly served.

The petitioner claims to be the wife of the respondent no.4. The respondent nos.5 and 6 are the brothers-in-law of the petitioner. The petitioner has alleged that the private respondents have inflicted mental and physical torture upon the petitioner and she has been driven out from her matrimonial home by them. The petitioner lodged several complaints before the police authorities, but the police authorities have not taken any steps with regard to the complaints lodged by the writ petitioner.

Mr. Saha, learned advocate appearing on behalf of the State submits that on the basis of the complaint lodged by the writ petitioner on July 28, 2010

Maynaguri Police Station case no. 320/2010 under Sections 498A/494 of the Indian Penal Code has been initiated and the said case is under investigation.

Subsequently, on 17th July, 2018 another case was started vide Maynaguri Police Station Case No.219/2018 under Section 341/325/379/354/506/34 of the Indian Penal Code read with Section 12 of POSCO Act. In that case charge sheet has been submitted.

Since the Police authority has taken steps on the basis of the complaints lodged by the petitioner, the allegations of the writ petitioner that the police authorities have not taken any steps on the basis of her complaint is baseless.

As such, the writ petition lacks merit and the same is hereby dismissed without any order as to costs.

Urgent Photostat Certified copy of this order, if applied for, be supplied to the learned advocates appearing for the parties expeditiously on compliance of all requisite formalities.

(HIRANMAY BHATTACHARYYA, J.)