

03.08.2021.
Item No. 17.
Court No.13
ap

**W.P.A. No. 11010 of 2021
(Through Video Conference)**

**Sajida Bibi
Versus
The State of West Bengal & Ors.**

Mr. Narayan Chandra Das,
Mr. Ashok Kumar Chowdhury.
..For the petitioner.

Mr. Subhabrata Datta,
Mr. Sanatan Panja.
...For the State.

Mr. Sunny Nandy,
Mr. Subha Pathak,
Mr. Tamal Singha Roy,
Mr. Vivek Tripathi.
...For the private respondent no.6.

Inspector-in-charge, Duttapukur Police Station
has submitted a report dated 9th July, 2021 in the
form of instructions to the learned Government
Pleader. The same is taken on record.

Mr. Subhabrata Datta, Counsel for the State
produces the case diary. It is submitted that the
petitioner's allegation may not be entirely correct.

It is stated that immediately after an incident
leading to the death of one Ali Hossain, in which the
writ petitioner's husband, namely, Sirajul Haque is the
main an accused, the petitioner and her elder son had
fled out of their residence. It appears to this Court that
the petitioner, fearing backlash, from local residents
have chosen to stay away from their house.

It appears from the instructions of the State that
a complaint dated 11th November, 2020 was received

by the Officer-in-charge, Duttapukur Police Station, Barasat from the petitioner which has been registered as FIR No. 923 of 2020 dated 9th December, 2020.

The petitioner complained that her house has been ransacked and valuables have been removed or stolen. The petitioner is not aware of this.

The petitioner had moved the Jurisdictional Magistrate under Section 156(3) of the Code of Criminal Procedure and the said Duttapukur Police Station has registered another Police Station Case No. 941 of 2020 dated 18th December, 2020.

The aforesaid two FIRs have been tagged together with the consent from the Additional Chief Judicial Magistrate, Barasat and investigation is on.

The petitioner is presently desirous of moving back into her residence.

Counsel for the State, Mr. Datta, submits that his client shall extend all necessary co-operation and protection to the petitioner to ensure their entry into their premises and ensure that she lives thereat without any threat.

It is expected that the petitioner shall equally co-operate with the Police Authority to ensure that there is no breach of peace in the area.

Investigation into the subject two FIRs shall be completed as expeditiously as possible, preferably within a period of two months from the date of

communication of a copy of this order and final report shall be submitted to the jurisdictional Magistrate.

With the aforesaid directions, the instant writ petition shall stand disposed of.

There will be no order as to costs.

Case diary produced in Court is returned to the Counsel for the State.

All parties are directed to act on a server copy of this order on usual undertakings.

(Rajasekhar Mantha, J.)