

S/L 6
07.10.2021
Court No.08
suvayan

**WPA 15716 of 2021
(Via Video Conference)**

Smt. Paly Halder & Ors.
Vs.
The State of West Bengal & Ors.

Mr. Goutam Dey
Mr. Dipendu Sarkar
Mr. Kaushal Kumar

... for the petitioners

Mr. Amitesh Banerjee
Mr. Jishnu Chowdhury
Ms. Amrita Panja Moulick

...for the State

Mr. Navojit Mukherjee
Ms. Tina Biswas

...for the Respondent Nos. 6 & 7

The petitioners complain of police inaction for not taking any steps on the complaint of the petitioners lodged with the police authority on 14.09.2021 wherein allegation made is in respect of atrocities to a member of Scheduled Caste.

Heard learned Counsel for the parties.

On behalf of the private respondents, it is submitted that the private respondents also belong to the same flock. So, the allegation under Section 3 of Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989 will not lie.

Learned Counsel for the State respondent submits a report of the Officer-in-Charge, Tollygunge Police Station

dated September 4, 2021 which reflects that there are several complaints both written and verbal against the petitioners and their family members and associates such as, 1. Tollygunge P.S. Case No.34 dated 23.01.2013 U/s 341/324/114 IPC 2. Tollygunge P.S. Case No. 176 dated 23.06.2018 U/s 341/323/427/34 IPC & 3. Tollygunge P.S. Case No. 308 dated 20.10.2018 U/s 324/506/379/114 were registered at this P.S. against the petitioner Nos. 1 and 3 and his family members and associates. Verbal complaints against the petitioners were diarized vide 1. Tollygunge P.S. G.D. Entry No.1626 dated 25.07.2021 2. Tollygunge P.S. G.D. Entry No.1231 dated 22.08.2021 3. Tollygunge P.S. G.D. Entry No.1250 dated 15.09.2021 and Tollygunge P.S. G.D. Entry No.145 dated 03.10.2021.

It is also submitted that the petitioners and their family members are the trouble creator in the locality. It is pointed out that the petitioners were arrested and was taken to custody and subsequently released on bail.

Mr. Banerjee submits that the petitioner is a very dangerous lady and creates trouble to their residence of the Basti, so a mass petition is filed against her.

However, this Court is of the view that the petitioners right to reside in her house cannot be denied. Therefore, Officer-in-Charge is directed to look into it that the petitioners live in her residence with a direction on the petitioners that they maintain peace in the locality and behave like a responsible citizen.

The Officer-in-Charge, Tollygunge Police Station is directed to keep vigil in the locality so that the law and order is maintained.

With the above direction, application being WPA 15716 of 2021 is disposed of.

There will be, however, no order as to cost.

Urgent Photostat certified copy of this order, if applied for, be given to the parties on priority basis.

All parties shall act in terms of copy of this order downloaded from the Official Website of this Hon'ble Court.

(Shivakant Prasad, J.)