

08-09-2021
ct no. 13
Sl.60
sp

WPA 23163 of 2019

Salauddin Gazi

-Versus-

The State of West Bengal & Ors.
(Via Video Conference)

Mr. Mrityunjoy Chatterjee,
Md. G.N. Imrohi,
Mr. Debapriya Majumder

...for the petitioner

Mr. Subabrata Datta,
Mr. Sanatan Panja

....for the State

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

Despite service of notice, respondents are
not represented.

The writ petitioner complains that the
private respondent no.6 is his foster son and the
respondent no.7, is the wife of respondent no.6.
Several complaints have been lodged with the
Officer-in-Charge, Rajabagan Police Station of
torture and harm being caused by the said private
respondents to the writ petitioner.

It appears from the report of the Officer-in-
Charge, Rajabagan Police Station dated September
7, 2021 in the form of instructions to the learned
Advocate for the State that Rajabagan Police
Station Case No. 20 dated March 14, 2018 has
been registered. Prior thereto, a further case being
Rajabagan Police Station Case No. 201 dated

December 24, 2017 has been registered by the Rajabagan Police Station against the respondent nos. 6 and 7 which has resulted in charge sheet no. 1 dated January 26, 2018 under Sections 341/323/504/506 (II) of the IPC.

It is clear and evident from the report of the police that the respondent nos. 6 and 7 are harassing the writ petitioner, if not, committing torture on them.

In the above circumstances, the Officer-in-Charge, Rajabagan Police Station is hereby directed to forthwith escort the respondent nos. 6 and 7 out of the said premises no. Q-506, Gulam Molla Lane, Molla Bagan, P.S. Rajabagan, Kolkata 700024.

The order shall be carried out immediately upon receipt of a copy of this order thereof.

The pending criminal proceedings may continue and it is expected that the trial in respect of the charge sheet above, is commenced and concluded expeditiously.

The respondent nos. 6 and 7 shall not be allowed to enter into the said premises without the written consent of the writ petitioner, countersigned by the Officer-in-Charge, Rajabagan Police Station.

With the aforesaid directions, the writ petition is disposed of.

There shall be no order as to costs.

The instructions of the Government Advocate from the Officer-in-Charge, Rajabagan Police Station dated September 7, 2021 may be kept with the record.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)