08.09.2021
Ct. No.13
Sl. No.78
akd/pk

W.P.A. 9499 of 2020 ***[via video conference]***
(CAN 1 of 2020)

[Sunanda Santra -Vs- State of West Bengal & others]

Mr. Suman Sengupta,
Mr. Syed Mosihar Rahaman
… … for the petitioner

Mr. Santanu Kumar Mitra
… … for the State.

Supplementary affidavit filed in Court is taken on record. A copy of the same has been served on the respondents.

The writ petitioner claims that the private respondents are threatening her with bodily harm if she approaches the land and residence purchased by her late husband. By an order dated 29.01.2021, a report was called from the Bagnan Police Station. A report dated 23.11.2020 has been placed before this Court by the counsel for the State. It is submitted that the FIR was registered on the petitioner's complaint and charge sheet no. 44 of 2021 dated 28.02.2021 under Sections 420/406/323/506/34 of the Indian Penal Code was filed.

The petitioner complains that certain other offences have not been taken cognizance of by the police in the charge sheet. The petitioner may approach the jurisdictional magistrate under Section 173 of the Cr. P. C. in this regard. Let a copy of the charge sheet be supplied to the petitioner within a period of seven days upon her approaching the Bagnan Police Station. It further transpires from the report that the accused persons are all absconding and evading arrest.

The Investigating Officer shall take steps for enforcing the attendance of the accused, inter alia, by applying for attachment and proclamation if not already done.

The Officer-in-Charge, Bagnan Police Station shall keep vigil over the said premises so that the petitioner is not in any way prevented from entering and there is no hindrance to free ingress-egress to her house. Let a police picket of two constables be posted for a period of three days at the said premises after due assessment of threat perception and if found necessary.

Let a report of the Bagnan Police Station is taken on record.

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

In view of disposal of the writ petition, connected application being CAN 1 of 2020 is also disposed of.

There will be no order as to costs.

All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)