

07.10.2021
Ct. No.13
Sl. No.2
akd

W.P.A. 11234 of 2020 [via video conference]

[Minati Sarkar & Anr. -Vs- The State of West Bengal & Ors.]

Mrs. Minati Sarkar ... Petitioner [in person]

Mr. Koustav Bagchi
Mr. Debayan Ghosh
..... for respondent nos.5 & 6

Mr. Ashim Ganguly
Mr. Bellal Shaikh
... .. for the State

The dispute in this petition is primarily between the petitioner no.1 and her brother-in-law's family.

It appears from the report of the Khardah Police Station dated 22.12.2020 that three several charge-sheets being Khardah Police Station C.S. No. 461 dated 31.10.2020 under Sections 498A/323/34 IPC, Khardah Police Station C.S. No. 290 dated 28.05.2012 against the private respondents and Khardah Police Station C.S. No. 289 dated 28.05.2012 under Sections 147/341/323/448/354/379/34 IPC have been filed before the jurisdictional Magistrate. Further proceedings under Section 107 of the Code of Criminal Procedure have also been taken out against the petitioners. The report says that the petitioner no.1-wife is living separately from her husband namely, Subhas Sarkar, petitioner no.2 herein.

Learned counsel appearing for the private respondents submits that the petitioners had earlier moved proceedings under Section 482 of the Code of Criminal Procedure in which caustic observations have been made by this court against their conduct.

Be that as it may, the jurisdictional Magistrate is directed to put the charge-sheets to committal as expeditiously as possible, if not already done. The trial in respect of the three charge-sheets should be completed as expeditiously as possible and preferably within a period of six months from the date of communication of this order.

In the event, the petitioners complain to the police as regards any difficulty in staying in their own premises, the Officer-in-charge, Khardah Police Station shall ensure that there is no breach of peace and the petitioners as well as the private respondents are able to reside peacefully.

With the aforesaid observations, the writ petition shall stand disposed of.

Report of the Officer-in-charge, Khardah Police Station dated 22nd December, 2020 is taken on record.

There shall be no order as to costs.

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

(Rajasekhar Mantha, J.)