

09.06.2022
Court No. 19
Item no.32
CP

WPA No. 1353 of 2022

Jayeeta Pal & ors.
Vs.
The State of West Bengal & ors.

Mr. Arun Kumar Mohanty (Maiti)
Mr. R. Mohanty

....for the petitioners.

Mr. Asish Kr. Guha
Mr. Naren Ghosh Dastidar

.....for the State.

Mr. Soumik Ganguli

....for the respondent nos. 6 & 7.

The writ petition has been filed challenging the failure on the part of the Officer-in-Charge, Behala Police Station to take action on the basis of the complaint filed against the respondent nos. 6 & 7. According to the petitioners, the respondent nos. 6 & 7 who are the son and daughter-in-law of the petitioners' sister Smt. Mira Bose, have kept the said Mira Bose in solitary confinement and home isolation and have forcefully restrained Mira Bose from meeting her siblings. Apprehending torture and harm that may be caused to Smt. Mira Bose, the petitioners approached the police authorities.

The police authorities, it is alleged, did not come to the aid of the petitioners.

Mr. Ganguli, learned advocate appearing on behalf of the respondent nos. 6 & 7, submits that the allegations are baseless. That Smt. Mira Bose does not wish to interact with her sister. That the petitioner no. 1 is interested to extort money from her sister.

The police authorities have filed a report from which it appears that Smt. Mira Bose was not inclined to interact with her sister and she was being looked after by an attendant from a centre. The allegation of torture was baseless.

The report is kept on record.

Thus, this court does not find that the petitioners have been able to establish a case of police inaction. However, the petitioner no. 1 desires to meet her sister. On humanitarian consideration, the petitioner no. 1 shall visit the residence of Smt. Mira Bose on June 13, 2022 at 11 am. A lady police constable shall be present at the residence of Smt. Mira Bose on the relevant date and at the relevant time. The petitioner no. 1 will seek interaction with Smt. Mira Bose in the presence of the lady police constable.

The order of this court is only restricted to the visit and no further claims shall be made by the petitioner no. 1 at the time of such visit.

If there are any belongings of the petitioner no. 1, the same shall be handed over to the petitioner no. 1 by the children of Smt. Mira Bose in the presence of the lady police constable.

The lady police constable shall file a report before the Officer-in-Charge, Behala Police Station as to how the meeting goes. On the basis thereof, further visits may be allowed by the Officer-in-Charge at considerable intervals. If it is found from the report that the visit was not pleasant or Smt. Mira Bose did not wish to meet the petitioner No. 1, in that case, the Officer-in-Charge shall take appropriate decision.

The writ petition is disposed of.

There shall be no order as to costs.

Parties are to act on the server copy of this order.

(Shampa Sarkar, J.)