

08.03.2022
Court No.13
Item No.7
AP

WPA 4098 of 2022

**Robin Kumar Saha
Vs.
State of West Bengal and Ors.**

(Through Video Conference)

Mr. Biswaroop Bhattacharya
Mr. Dwaipayan Basu Mullick
Mr. Arkaprava Sen
Mr. Rahul Kumar Singh

... For the Petitioner.

Mr. Anirban Ray, Government Pleader
Mr. Raja Saha
Mr. Shayak Chakraborty
Mr. Debasish Ghosh

... For the State.

The private respondent is not represented today despite notice through whatsapp and email.

Counsel for the Survey Park Police Station submits that they received a call at the instance of the private respondent wife that she is unable to enter her house at 11:30 p.m. and, therefore, was compelled to come to the petitioner's residence. In addition thereto, the police also received telephone call from the security guard of the housing complex about the likelihood of breach of peace and or dispute within a family that was likely to spill over.

It is submitted by the counsel for the petitioner that the petitioner was willing to accommodate his wife anywhere else in the city of Kolkata in view of severe and serious marital discord.

This Court is of the view that the Survey Park Police Station has acted bona fide. In the event of any further request from the private respondent wife, the Survey Park Police Station may contact the petitioner over telephone to accommodate her temporarily in a private accommodation away from his house.

This Court does not enter into the disputes and differences between the petitioner and the private respondent wife or the custody and safety of the child.

The parties may approach an appropriate civil or statutory forum to seek appropriate remedies in this regard.

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

There shall be no order as to costs.

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

(Rajasekhar Mantha, J.)