

25.07.2022
Court No. 19
Item no.463
CP

W.P.A. No. 9146 of 2022

Tarun Kumar Banerjee & anr.

Vs.

The State of West Bengal & ors.

Mr. Shibaji Kumar Das

Ms. Rupsa Sreemani

...for the petitioners.

Mr. Amitesh Banerjee, Sr. Advocate

Ms. Ipsita Banerjee

...for the State.

The petitioners have two-fold prayers. First, that the Superintendent of Police, Hooghly Police District and the Officer-in-charge, Serampore Police Station, be directed to register an FIR against the respondent nos. 5 and 6 on the basis of the compliant filed by the petitioner no. 2 dated April 26, 2022. Second, that the learned Sub-Divisional Executive Magistrate/Sub-Divisional Officer be directed to dispose of the proceedings initiated under the Maintenance and Welfare of Parents & Senior Citizens Act, 2007.

The police report is taken on record. It appears that on the basis of the complaint filed by the petitioner no. 2, an enquiry was made by the police authorities.

The petitioner no. 1 is a retired person and is dependent on his pension. The respondent nos. 5 and 6 used to reside in the same house as the petitioners and often tortured the petitioners, for money. The shop of the respondent no. 5 had been closed for a long time and as such, he was in need of money and thus pressurized his father.

The police authorities found that there was possibility of breach of peace in the house. Prosecution under Section 107 of the Cr.P.C. vide Sheoraphuli TOP NCR No. 116/22 dated May 16, 2022 was submitted against the respondent nos. 5 and 6. The said respondents were directed to maintain peace and not to disturb the petitioners.

Mr. Banerjee, learned senior advocate for the State, points out to the pleadings in order to show that the respondent nos. 5 and 6 had admittedly left the premises.

However, this court is of the view that senior citizens must be protected and the police authorities must keep a vigil in order to ensure that the petitioners are not harassed or harmed in any way.

With regard to the proceedings filed under the Maintenance and Welfare of Parents & Senior Citizens Act, 2007, this court expects that the same shall be disposed of in accordance with law, expeditiously.

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.)