

09.06.2022
Court No. 19
Item no.08
CP

WPA No. 9450 of 2022

Amrita Tufani
Vs.
The State of West Bengal & ors.

Mr. Uttam Banerjee
Mr. Arunesh Pathak
....for the petitioner.

Mr. Pratip Mukherjee
Mr. Sumalya Chakraborty
....for the respondent nos. 4 and 5.

Mr. Subhabrata Datta
Mr. Debashis Sarkar
....for the State.

Perused the police report. It appears that the police authorities received the complaint of the petitioner on November 22, 2021 through speed post. The incident which allegedly took place on October 6, 2021 was 45 days prior to the date of the complaint. The concerned police authorities visited the locale and made an enquiry.

According to the Additional Officer-in-Charge, Chitpur Police Station, interaction with the persons in the locality did not reveal that the incident complained of by the petitioner had taken place. Thus, the police authorities have negated the claim of the petitioner. The police has also reported that there is a long standing enmity between the parties.

Mr. Mukherjee, learned advocate appearing on behalf of the respondent nos. 4 and 5, submits that on an earlier occasion, on the selfsame cause of action, a complaint was filed by the petitioner and the same was investigated into and a charge-sheet has been filed.

When the police authorities upon initial enquiry did not find commission of any cognizable offence. The writ petition is disposed of. The petitioner is at liberty to approach the learned Magistrate under Section 156(3) of the Cr.P.C. for further reliefs, if available under the law. The same shall be disposed of on merits. The police report is kept on record. The police authorities shall ensure that no breach of peace takes place.

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.)