

S/L 6
22.06.2022
Court. No. 19
GB

WPA 9809 of 2022

Tanusri Mondal (Chakraborty)
VS
The State of West Bengal & Ors.

Mr. Anil Kumar Chattopadhyaya.

...for the Petitioner.

*Mr. Raja Saha,
Ms. Piyali Sengupta.*

...for the State.

*Sk. Abu Abbas Uddin,
Mr. Nahid Rahman.*

...for the Respondent No.5.

It is submitted by Mr. Raja Saha, learned advocate appearing on behalf of the State respondents that the allegation of violence by the respondent no.5, has already been made before the learned 1st Class Judicial Magistrate, Amta Court, Howrah on September 9, 2021 by the petitioner. The petitioner, has initiated proceedings under the Domestic Violence Act. The said application of the petitioner has been registered as Misc. Case No.20 of 2021. A copy of the complaint has been filed before this Court. The Magistrate is in seisin of the matter. Summons have been issued to the respondent no.5. The protection officer has already filed the domestic incident report under Sections 9(b) and 37(2) of the Protection of Women from Domestic Violence Act, 2005.

Under such circumstances, the petitioner shall be at liberty to pray for all necessary orders before the learned Magistrate in accordance with law. The learned Magistrate upon perusal of the report of the protection officer shall decide whether police assistance is necessary for the protection of the petitioner or not.

However, it is made clear that the respondent no.5 shall not cause any harm or injury to the petitioner.

Accordingly, the writ petition is disposed of.

However, there will be no order as to costs.

All the parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)