

S/L 7
22.6.2022
Court. No. 19
sn

WPA 9884 of 2022

Sanjib Basak
Vs.
The State of West Bengal & Ors.

Mr. Debnath Ganguly
Mr. Prosenjit Biswas
Mr. Supriyo Dutta
Ms. Aishwarya Parihar ... *for the petitioner*

Mr. L.M. Mahata
Mr. P.B. Mahata ..*for the State*

The writ petition is misconceived.

The petitioner alleges that the police authorities have not taken any steps pursuant to the complaint lodged by the petitioner, against his wife. On the contrary, the police authorities have filed a report, from which it appears that the petitioner has been charge-sheeted in connection with Raiganj Police Station Case No.182 of 2022 dated February 12, 2022. Such Charge-sheet was submitted on March 25, 2022 vide Charge-sheet No. 274 of 2022 under Section 498(A) of the Indian Penal Code read with Sections 3 and 4 of the Dowry Prohibition Act. Petitioner alleges torture by his wife and seeks investigation.

This Court is of the view that as the trial is in progress, the petitioner will be at liberty to take such defence before the trial court, at the appropriate stage.

The observations made herein are only for the purpose of disposal of the writ petition and shall not prejudice other rights of the petitioner.

The police report is taken on record.

This 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.)