

17.06.2022
Court No. 19
Item no.22
CP

W.P.A. No. 10167 of 2022

Amulya Bapati & anr.
Vs.
The State of West Bengal & Ors.

Mr. Mahammad Mahmud
Mr. Biswajit Bhattacharya

.... for the petitioners.

Ms. Jayeeta Sinha
Mr. Sandip Mandal

....for the State.

Despite service, none appears on behalf of the respondent nos. 5 and 6.

The petitioners are the parents of the respondent no. 5 and the parents-in-law of the respondent no. 6. The allegation is that the petitioners have been repeatedly tortured by the said respondents. Further allegation is that the petitioners are not being allowed to reside peacefully in their residential house situated at Beledanga, Ketopole under Maheshtala Police Station.

The petitioners seek intervention of this court as the police authorities have allegedly failed and neglected to discharge their duties under the law.

The Inspector-in-Charge, Maheshtala Police Station has filed a report. It appears that pursuant to the written complaint lodged by the petitioners

Maheshtala PS Case No. 716/18 dated November 25, 2018 under Sections 341/325/506 and 34 of the Indian Penal Code was started. The investigation was concluded. Charge-sheet vide Maheshtala PS Charge-Sheet No. 743/18 dated December 31, 2018 under Sections 341/325/506 and 34 of the Indian Penal Code was submitted before the appropriate jurisdictional court.

Under such circumstances, the court does not find that the allegations against the police authorities are correct. The investigation has been completed.

The police authorities will however ensure that the petitioners are able to reside in the premises peacefully.

The other reliefs which are prayed for must be decided in a proceeding under the Maintenance and Welfare of Parents and Senior Citizens Act.

The petitioner is at liberty to approach the appropriate fora for other reliefs.

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.)