

S/L 66
01.07.2022
Court. No. 19
GB

WPA 10701 of 2022

Srimati Sarda Devi Sharma alias Sharda Sharma
VS
The State of West Bengal & Ors.

*Mr. Gunjan Shah,
Mr. Chitra Bhanu Gupta.*

...for the Petitioner.

*Ms. Sipra Mazumdar,
Ms. Prativa Ghatak.*

...for the State.

Ms. D. Mitra.

...for the Respondent No.5.

Affidavit-of-service filed in Court today, be kept with the record.

The order of the Maintenance Tribunal has been filed before this Court. It appears that the deed of gift, which was executed in favour of the respondent no.5 by the petitioner, has been declared as void. It further appears that criminal proceedings are pending against the respondent no.5 and the children of the said respondent. All these respondents have been released on bail.

A report has been filed by the Inspector-in-charge, Baguiati Police Station. It appears that pursuant to a written complaint of the petitioner, a specific case vide Baguiati P.S. Case No.428 of 2019 dated October 23, 2019 under Sections 341/325/506/34 of the Indian Penal Code was registered against the respondent no.5 and her two children. After investigation a charge-sheet has been filed before the learned jurisdictional Magistrate. On the basis of the second complaint filed by the petitioner, Baguiati P.S. Case No.103 of 2021 dated February 20, 2021 under Section 188 of the

Indian Penal Code read with Section 24 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 was registered. After investigation, charge-sheet has been submitted against the respondent no.5 and her children.

Under such circumstances, the writ petition is disposed of with the following direction:-

The petitioner shall approach the Inspector-in-Charge, Baguiati Police Station on any working day at 11:00 a.m. and the police authorities shall escort the petitioner back to her residence. If the petitioner fails to approach the police authorities within four days from date, the police authorities shall not be bound by this order. The police authorities shall also maintain vigil in order to ensure the safety of the petitioner so that the petitioner is not threatened or harassed by the respondents.

The criminal proceedings will continue without being impacted by this order. This order is only passed in order to ensure the safe entry of the petitioner to the house.

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.)