

08.07.2022
Court No. 19
Item no.83
CP

W.P.A. No. 11114 of 2022

Sri Anup Kumar Maiti & ors.

Vs.

The State of West Bengal & ors.

Mr. Debangan Bhattacharjee

Ms. Swarnali Saha

Mr. Rajdeep Sinha

...for the petitioners.

Mr. Raja Saha

Ms. Piyali Sengupta

...for the State.

The petitioner no. 1 is the father and the petitioner no. 2 is the husband of the respondent no.4.

Learned advocate appearing on behalf of the petitioners, submits that the respondent no. 4 has continuously inflicted mental torture upon the petitioner no. 2. The petitioner No. 2 is being intimidated, so that he may agree to a divorce. When the petitioner no. 2 refused, threats and abuses multiplied.

The allegation is that despite a complaint having been filed before the Chief Minister of West Bengal with a copy to the Officer-in-Charge, Singur Police Station, no steps have been taken by the police authorities.

Mr. Saha, learned advocate appearing on behalf of the police authorities, submits that an enquiry was made and it was found that there is a matrimonial discord between the petitioner no. 2 and the respondent no. 4. Subsequently, a complaint was also filed by the respondent no. 4 before the Officer-in-Charge, Singur Police Station. Singur PS Case No. 276/22 was registered under Sections 498A/406 of the Indian Penal Code read with Sections 3 and 4 of the Dowry Prohibition Act. He submits that although there was no specific complaint before the Officer-in-Charge, Singur Police Station, an enquiry was made and the police authorities found that there is a subsisting dispute between the petitioner no. 2 and the respondent no. 4. In the meanwhile, the respondent no. 4 had already filed a complaint and on the basis of the same, an FIR was registered. The investigation is going on.

The police authorities shall ensure that statements of the petitioners are recorded in the pending investigation and the petitioners shall be allowed to submit all relevant documents etc. in their support, before the investigating agency.

The police authorities shall also ensure that the parties do not engage in altercations and no untoward incident should occur in future.

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.)