

06.07.2022
Court No. 19
Item no.332
CP

W.P.A. No. 13532 of 2021

Reema Khatun
Vs.
The State of West Bengal & ors.

Mrs. Nasreen Islam

...for the petitioner.

Mr. Amitesh Banerjee
Mr. Tarak Karan

...for the State.

This writ petition has been filed for a direction upon the police authorities to investigate into the allegations against the respondent no. 10. The petitioner being the estranged wife of the respondent no. 10 had filed a complaint alleging physical and mental torture and demands for dowry.

The police report is taken on record. It appears that Suti PS Case No. 191/2021 dated May 26, 2021 under Sections 498A/325/506/34 of the Indian Penal Code read with Section 4 of the Dowry Prohibition Act, had been initiated.

Although it was found by the police authorities that the respondent no. 10 was responsible for the alleged violence on the petitioner, the petitioner had expressed her desire to lead a conjugal life. However, on the prayer of the investigating agency, before the learned ACJM, Jangipur, the name of the respondent

no. 10 was included as one of the accused persons. A notice under Section 41A of the Cr.P.C. was served upon the respondent no. 10. Statements of the petitioner under Section 164 of the Cr.P.C. was recorded before the jurisdictional court. The respondent no. 10 was released on bail.

Upon completion of the investigation charge-sheet vide Suit PS CS NO. 283/21 dated August 24, 2021, had been filed against five persons including the respondent no. 10.

Under such circumstances, the apprehension of the petitioner that the investigation would not be done in a free and proper manner, is not substantiated. The police authorities have already filed the charge-sheet under Sections 498A/323/506/34 of the Indian Penal Code read with Section 4 of the Dowry Prohibition Act.

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.)