

04.08.2022
Court No. 19
Item no.62 (ML)
CP

W.P.A. No. 13167 of 2022

Husna Bibi
Vs.
The State of West Bengal & ors.

Mr. Sk. Sahjahan Ali
...for the petitioner.

Ms. Sonal Sinha
Ms. Sangeeta Roy
...for the State.

Affidavit of service is taken on record. Despite service none appears on behalf of the respondent nos. 6 & 7.

The petitioner lodged a complaint with the Officer-in-Charge, Karaya Police Station alleging that the respondents Nos. 6 and 7 had physically tortured the petitioner and ousted the petitioner from her own accommodation. On the basis of such complaint, Karaya Police Station Case No. 167 dated July 16, 2022 under Sections 341/323/506 of the Indian Penal Code read with Sections 24 of the Maintenance and Welfare of Parents & Senior Citizens Act, 2007 had been initiated. The investigation is in progress. The police report is taken on record.

The petitioner prays that the police authority be directed to ensure safe entry of the petitioner to

her own house, as the petitioner feels threatened and is afraid of further mental and physical torture.

The petitioner will approach the Officer-in-Charge, Karaya Police Station at 11 am on August 6, 2022. If the approach is made, the concerned police station shall ensure safe entry of the petitioner to her house. The petitioner being a senior citizen, cannot be thrown out from her place.

This order shall not be construed as a declaration on the correctness of the allegations made by the petitioner. The culpability of the respondent nos. 6 and 7 has not been decided in this proceeding. The investigation is pending. The petitioner must be able to reside in her house peacefully.

The writ petition is accordingly disposed of with a direction upon the police authorities to keep a vigil and maintain peace and tranquility.

There shall be no order as to costs.

Parties are to act on the server copy of this order.

(Shampa Sarkar, J.)