

16.08.2022  
Sl. No.417(ML)  
srm

**W.P.A. No. 14022 of 2021**

**Manorama Gupta**

**Versus**

**The State of West Bengal & Ors.**

Mr. Kallol Basu,  
Mr. Bratin Kumar Dey,  
Mr. Pradeep Pandey

...for the Petitioner.

Mr. Pantu Deb Roy,  
Mr. Anand Farmania

...for the State-respondents.

Affidavit-of-service is taken on record. Despite service, none appears on behalf of the respondent No.5.

The petitioner alleges police inaction. It is submitted that the authorities of Burdwan Police Station have failed and neglected to take appropriate steps to reach the investigation of Burdwan Police Station Case No.843 of 2021 to its logical conclusion. The allegation is that due to physical and mental torture inflicted by the respondent No.5 (son), the petitioner is not being able to enter the premises situated at Khagragarh, Purbamathpara, Post Office Rajbati, District-Purba Burdwan.

The police report is taken on record. It appears that on the basis of the complaint of the petitioner, Burdwan Police Station Case No.843/2021 dated August 17, 2021 under Sections 384/323/307 of the Indian Penal Code was registered.

During investigation, the investigating officer found that the provisions of Section 24 of the Maintenance and Welfare of Senior Citizens Act, 2007 were also attracted. The charge sheet dated September 30, 2021 was filed before the learned jurisdictional Magistrate under Sections 384/323/307 of the Indian Penal Code and Section 24 of the Maintenance and Welfare of Senior Citizens Act, 2007. It appears that the accused was granted anticipatory bail on September 14, 2021.

The police authorities have already concluded the investigation. However, the police authorities shall maintain a vigil to ensure that the petitioner is sufficiently protected during the course of trial. It is also made clear that if the petitioner approaches the police authorities for assistance to enter into the premises in question, all necessary assistance shall be provided to the petitioner. As the petitioner is a senior citizen, her safety and security shall be of prime concern. This order shall not be a determination of the rights and title of the respective parties with regard to the alleged property.

The writ petition is, thus, disposed.

There will be no order as to costs.

All parties are to act on the basis of the server copy of this order.

**(Shampa Sarkar, J.)**