

24.8.2022
Sl.No.106
sn

WPA14108 of 2022

**Purnima Mondal
Versus
The State of West Bengal & Ors.**

**Mr. Shuvro Prakash Lahiri
Sk. Nizamuddin
Mr. Rajesh Naskar
..for the petitioner
Mr. Ansar Mondal
Mr. Suprobhat Bhattacharyya
..for the State**

The petitioner alleges inaction on the part of the Officer-in-Charge, Uttarpara Police Station. Affidavit of service is taken on record.

The Inspector-in-Charge, Uttarpara Police Station has filed a report. It appears that on the basis of the earlier complaint filed by the petitioner, Uttarpara Police Station Case No. 546 of 2017 dated July 4, 2017 under Sections 341/323/325/354B/379/509/34 of the Indian Penal Code was started. The said investigation ended with the filing of the charge sheet on September 6, 2017 against four accused persons.

On the complaint of one Sanjay Saha against the petitioner, Uttarpara Police Station Case No. 23 of 2022 dated January 18, 2022 under Sections 341/324/326/427/506 of the Indian Penal Code had been started and the same ended with the filing of a charge sheet against the petitioner. It appears

that a long standing dispute is pending between the petitioner and the respondent nos. 5 to 11.

On the basis of the subsequent complaint of the petitioner, Uttarpara Police Station Case no. 246 of 2022 dated July 5, 2022 under Sections 448/341/323/325/307/379/354B/427/506/509/34 of the Indian Penal Code was registered against 28 local inhabitants and investigation is still going on.

The petitioner alleges that even though there has been registration of an FIR, the accused persons are roaming scot free. The specific case of the petitioner is that the local persons gathered in front of the petitioner's house in an intoxicated condition and created nuisance and disturbance. When the petitioner protested, they became furious and assaulted her.

The allegations of theft and damage have also been made. Such incident took place allegedly in front of the minor son of the petitioner.

The report is not satisfactory as to what progress has been made in the investigation and also whether steps had been taken by the police authorities to keep a vigil so that no nuisance is not committed in front of the house of the petitioner.

Under such circumstances, this writ petition is disposed of with a direction upon the concerned

investigating officer to continue with the investigation in a free, fair and proper manner and take necessary steps under the Code of Criminal Procedure so that the truth is unearthed and also to ensure peace in the area by preventing unlawful activities in front of the house of the petitioner.

This order shall not be construed as the decision on the complicity of the accused persons. The investigation and the trial will take care of the same. There are allegations against the petitioner too, as the report reveals. The petitioner will also maintain peace and tranquillity.

The writ petition is disposed of

There will be, however, no order as to costs.

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

(Shampa Sarkar, J.)