

21.06.2022
Sl. No.93
srm

W.P.A. No. 15738 of 2021

Shibu Majhi

Versus

The State of West Bengal & Ors.

Mr. Jayanta Narayan Chatterjee,
Mr. Debasish Mitra,
Mr. Nazir Ahmed,
Ms. Nandini Chatterjee,
Ms. Jayashree Patra,
Ms. Ritushree Banerjee,
Ms. Pritha Sinha,
Ms. Sumita Ghosh,
Ms. Dipanwita Dey

...for the Petitioner.

Ms. Chaitali Bhattacharya,
Ms. Sanjukta Samanta

...for the State-respondents.

The allegation in the writ petition is against the inaction of the respondent No.4, *i.e.* the Officer-in-Charge, AJC Bose B Garden Police Station, Howrah.

It is submitted by Mr. Chatterjee, learned Advocate appearing on behalf of the petitioner, that despite offences having been allegedly committed by the respondent Nos.5 and 6, the police authorities have failed and neglected to take steps under the law. The intervention of the Court is prayed for, so that an investigation may be started by the police authorities.

The Officer-in-Charge, AJC Bose B. Garden Police Station, Howrah City Police has filed a report. It appears from the report

that on the complaint of the petitioner, AJC Bose B Garden PS Case No.138/2021 dated August 5, 2021 under Sections 448/323/379/427/34 of the Indian Penal Code was registered. Investigation was completed.

It further appears that there was a counter-case by the respondent No.5 against the petitioner, her elder daughter and son-in-law. On the basis of the said complaint, AJC Bose B Garden PS Case No.139/2021 dated August 5, 2021 under Sections 448/323/315/511/34 of the Indian Penal Code was registered against the petitioner, her elder daughter and son-in-law. The police report is taken on record.

Both the FIRs resulted in filing of charge sheets *vide* AJC Bose B Garden PS Charge Sheet No.134/2021 dated August 29, 2021 under Sections 448/323/427/34 of the Indian Penal Code against the respondent Nos.5 and 6 and AJC Bose B Garden PS Charge Sheet No.156/2021 dated August 31, 2021 under Sections 448/323/506/34 of the Indian Penal Code against the petitioner, her elder daughter and son-in-law. The report also states that the petitioner was escorted back to the residential house, by the police authorities.

Under such circumstances, nothing remains to be decided in the writ petition. The police authorities shall ensure that the petitioner's peaceful stay at the house, is not disturbed.

The writ petition is, thus, disposed of.

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.)