

30.03.2022.  
Court No.13  
Item No. 6  
ap

**W.P.A. No. 18553 of 2021  
(Through Video Conference)**

**Sabir Mohammad Saphui  
Versus  
The State of West Bengal & Ors.**

Mr. Sarwar Jahan,  
Mr. Maidul Islam Kayal.

...For the petitioner.

Ms. Chaitali Bhattacharya,  
Mr. Kartick Chandra Kapas.

...For the State.

Ms. Pallabi Chatterjee.

...For the respondent nos.8 to 11.

Affidavit-of-service filed in Court today be taken  
on record.

The writ petitioner complains that his wife and  
in-laws have occupied his house and have put a  
padlock, thereby preventing him from entering the  
same.

The respondent wife and in-laws are  
represented.

It is submitted that the wife is staying in a room  
in her paternal house and there is marital discord. It is  
further submitted that the wife has lodged a complaint  
under Section 498A of the Indian Penal Code. It is also  
submitted that in the meantime the petitioner's father  
has died after being attacked by the in-laws.

This Court finds that an FIR was registered and  
a charge-sheet being No. 694 of 2021 dated 7<sup>th</sup> July,  
2021 under Sections 448/325/34 of the Indian Penal

Code has been filed before the jurisdictional Magistrate.

It is expected that charge-sheet shall be put into committal as expeditiously as possible. The FIR registered by Baruipur Police Station being FIR No. 68 of 2021 dated 21.08.2021 shall also be investigated expeditiously and final report shall be submitted to the jurisdictional Magistrate.

Counsel for the private respondents submits that her clients are not in any way obstructing the petitioner from entering into his own house and that the story before this Court is a concocted one.

Be that as it may, since the petitioner complains that there is a padlock on his house, he may break the same, open and enter into his house at any point of time.

The Officer-in-charge, Narendrapur Police Station shall, if necessary, render assistance to the petitioner in this regard.

With the aforesaid observations, the instant writ petition shall stand disposed of.

There will be no order as to costs.

All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

***(Rajasekhar Mantha, J.)***

