

05.12.2022.
Court No.13
Item No.22
pk

WPA 17943 of 2022

**Smt. Santana Debnath
Versus
State of West Bengal & Ors.**

Mr. Kunal Ganguly

...For the petitioner.

Mr. Amitesh Banerjee,
Mr. Lal Mohan Basu

... for the State.

Mr. Palash Bapari,
Mr. Dhananjay Banerjee

... for the respondent Nos.5 and 6.

Supplementary affidavit filed in Court is taken
on record.

The private respondents are finally represented
today.

It is submitted by the Police that the Original
FIR was registered on the petitioner's complaint and
subsequently further FIR was registered. The private
respondents/son and daughter-in-law are on bail.
Investigation into the FIR must be conducted with
expedition, urgency and sincerity.

Counsel for the private respondents/son and
daughter-in-law submits that the son is afflicted with
epilepsy since childhood. It is also submitted that the
entire proceeding is instigated by the younger son to
evict the private respondents.

This Court notes that the said disputes are civil in nature. Existence of any such dispute even otherwise cannot justify any form of violence against the writ petitioner, admittedly a senior citizen and a widow.

The writ petitioner shall not be coerced by the private respondents into executing any gift deed without the concurrence and confirmation of the O. C., Asansol (South) Police Station. The police shall maintain daily vigil for a sufficient period on the petitioner's residence. The O. C. shall ensure that stern warnings are issued to the private respondents forthwith.

On receipt of any further substantial complaint from the petitioner the Police shall register FIR and take coercive measures against the private respondents/son and daughter-in-law, if necessary.

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

There shall 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.)