

08.02.2023.
Court No.13
Item No. 29
ap

W.P.A. No. 1838 of 2023
Becharani Ghosh
Versus
The State of West Bengal & Ors.

Ms. Sibangi Chattopadhyay.

...For the petitioner.

Mr. Dulal Dey,

Mr. Subrata Sikdar,

...For the respondent nos.4, 5 & 6.

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

The petitioner complains that she had to leave her house because of torture and assault by her sons, the private respondents.

Counsel for the private respondents submits that the petitioner is in fact living in the house and goes to visit her daughter from time to time. It is further submitted that the petitioner sustained injuries at her daughter's house and was never assaulted by the sons.

Admittedly, a partition suit has been filed by the private respondents being Title Suit No. 183 of 2022.

On a complaint of the petitioner, Haripal Police Station has registered a FIR No. 222 of 2022 dated 2nd September, 2022 and charge-sheet No. 237 of 2022 dated 31st October, 2022 has been filed under Sections 341/323/326/379/504/34 of the Indian Penal Code. On a further complaint of the petitioner, Haripal Police

Station has also taken out proceedings under Sections 107 and 116(c) of the Code of Criminal Procedure.

This Court notes that there is some disputes between the petitioner and the private respondents with regard to the property in question. Both the parties have shares in the property. The petitioner may simply return to her residence since the Counsel for the private respondents submits that they have never obstructed the petitioner.

The Officer-in-charge, Haripal Police Station shall immediately attend to any complaint from the petitioner against the private respondents.

The report of the Officer-in-charge, Haripal Police Station be taken on record.

With the aforesaid directions, 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.)