

13.06.2023.
Court No.13
Item No. 21
ap

W.P.A. No. 5208 of 2023

**Rahul Purkayastha
Versus
The State of West Bengal & Ors.**

Mr. Soumya Nag,
Mr. Asis Kumar Chatterjee,
Mr. Debdutta Raha,
Ms. Namrata Chatterjee.

...For the petitioner.

Mr. Maloy Singh,
Mr. Bibekananda Tripathy.

..For the State.

Mr. Billwadal Bhattacharyya,
Mr. Sayak Ranjan Ganguly.

...For the respondent nos.4 to 6.

1. Mr. Billwadal Bhattacharyya, Counsel for the private respondent no.4/wife submits that both the parties are trying to reconcile their differences and save the marriage. The petitioner may return to his residence.

2. Let there be a CCTV Camera installed by the writ petitioner in the house. The DVR of the Camera shall remain with the wife at the first instance and shall be additionally accessible only to the police, at any point of time.

3. The police have filed a report dated 8th June, 2023, which is kept with the record. It appears therefrom that the Revolver of the petitioner has been seized by the police and shall remain in the custody of the police, subject to any order that may be passed by the jurisdictional court.

4. The complaint lodged by the petitioner with the Bidhannagar Police Station has been enquired into and was not found to be tenable.

5. The parties shall attempt to live peacefully. In the event the parties are not able to live together, the order of the learned Court under the Domestic Violence Act shall stand modified to the extent that the writ petitioner shall provide an alternative accommodation to the private respondent no.4/wife, of equal status and standing, where the wife may move into with her son.

6. The continuation of accommodation, as indicated hereinabove, shall be subject to final orders passed by the Domestic Violence Court.

7. The petitioner as well as the private respondent no.4/wife undertake before this Court not to cause any physical harm to one and another and they may contact their respective Advocates in the event any unresolved issues.

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

9. There will be no order as to costs.

10. 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.)

