

01.06.2023
sayandeep
Sl. No. 06
Ct. No. 07

WPA 12885 of 2023

Babli Chanda
-Versus-
The State of West Bengal & Ors.

Mr. Mritunjay Saha
..... for the petitioner

Mr. Rabindra Narayan Dutta
Mr. A. K. Halder
.....for the State

The affidavit-of-service filed in Court today is taken on record.

The petitioner is the daughter of one late Tapan Kr. Chanda. She claimed that she is residing at her dwelling house at 11A/1D, Mahendra Cahtterjee Lane, P.S.-Topsia, Kolkata 700046. She resides along with her aged mother. The private respondent Nos. 10 to 15 being the outsider and not being the members of the family at all are creating disturbance and hindrance to the peaceful leaving to the petitioner and her mother. The petitioner lodged a complaint on May 16, 2023 at page-28 to the writ petition. The petitioner needs protection.

Mr. Rabindra Narayan Dutta, learned advocate appearing for the respondent Nos. 1,2,3,5,6,7,8 and 9 placed an undated report prepared under the seal and signature of one Rajib Shao, the Officer-in-Charge, Topsia Police Station is taken on record. It

appeared from the report that on the basis of the complaint made by the petitioners, the police has initiated the necessary criminal case being Topsia Police Case No. 45 dated May 16, 2023. Investigation had commenced. Notice under Section 41A of the Criminal Procedure Code was also issued. The accuseds had applied for anticipatory bail before the jurisdictional criminal Court at Alipore.

Considering the submissions made on behalf of the parties and considering the materials on record, it appeared to this Court that the police has already initiated criminal case against the accuseds immediately on the very same day when the complaint was lodged. The local police authority and/ or appropriate police authority are directed to complete the investigation and file the necessary charge-sheet positively within a period of two months from date of the communication of this order. However, if the police authority is satisfied that no charge can be framed in law against the accused then the police authority shall file a final report before the jurisdictional Magistrate at sealdah.

In the event, the charge-sheet is issued then the local police authority shall expedite the police case so that it reaches earliest reasonable conclusion in accordance with law positively within a period of one year from the date of issuance of charge-sheet.

In the meantime, the local police authority must ensure that peace and tranquility is maintained at the locale.

In the event, the petitioner applies before the local police authority for posting police protection, the same may be considered by the local police authority in accordance with law and upon payment of the necessary charges for the same to be paid by the petitioner.

With the above observations, this writ petition being WPA 12885 of 2023 stands disposed of without any order as to costs.

(Aniruddha Roy, J.)