

Pratima Gupta

-vs-

The State of West Bengal & ors.

Mr. Debjit Mukherjee

Ms. Susmita Chatterjee

Mr. Kaustav Bhattacharya

..for the petitioner

Mr. Asish Kumar Guha

Mr. Rajendra Chaturvedi

...for the State

Affidavit of service filed on behalf of the petitioner is taken on record.

Despite service, no one appears on behalf of the private respondents.

Report filed on behalf of the State is also taken on record.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is the wife of a police constable. Her husband is staying in Kolkata in connection with his work. Taking advantage of this, the private respondents who are the relatives of the petitioner's husband demolished a shop belonging to the petitioner. A complaint was lodged with serious allegations. But, only a GD entry was registered. There is an apprehension of threat to the life of the petitioner.

Learned counsel for the State relies on the report and submits as follows. Earlier, cases and counter cases had

been lodged in respect of the ongoing family dispute between the private parties. However, on the allegation of the present incident, a proceeding has been initiated under Section 107 of the Code. The police are keeping a close watch on the developments in the locality.

If the petitioner thinks that her complaint make out a cognizable evidence, she shall be at liberty to act in terms of the ratio laid down in Aleque Padamsee's Case, (2007) 6 SCC 171.

However, it appears that the police had already taken steps on the complaint of the petitioner by initiating a proceeding under Section 107 of the Code.

No further order need be passed in this regard.

However, the police authorities shall keep a strict vigil at the locale and ensure that no breach of peace takes place.

In the event an untoward incident occurs or is apprehended by the petitioner, she shall be at liberty to intimate the Officer-in-Charge of the local police station who shall then act in accordance with law.

With these observations, the writ petition is disposed of.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Jay Sengupta, J.)