

September 5, 2023
AD 29
Court No.14
SG

WPA 19082 of 2023

Sumana Chatterjee
vs.
The State of West Bengal and others

Mr. Tauhid Khan
Mr. Jayanta Sinha
... for the petitioner

Mr. Amal Kumar Sen
Mr. Lal Mohan Basu
... for the State

Mr. Pawan Kumar Gupta
Mr. Vijay verma
Ms. Sofia Nesar
Mr. Santanu Sett
... for the respondent Nos.5 to 8

Affidavit of service filed in Court is taken on record.

A report filed by the State is also taken on record.

Learned advocate for the petitioner submits as follows. The petitioner was tortured by her husband and in-laws. For this, she lodged an FIR being Howrah Women Police Station Case No.03/2023 dated 06.02.2023 under Sections 498A/406/506/34 of IPC and Sections 3/4 of D.P. Act. During investigation the petitioner provided all the receipts for the articles. At the time of recovery number of valuable articles were not seized. This has prompted the petitioner to approach this Court for appropriate relief.

Learned advocate for the private respondents submits as follows. A charge-sheet has already been submitted in this case. Several articles were seized and

were returned to the de facto complainant. The private respondents do not have anything else to return. In any event, the remedy, if any, for the petitioner lies before the criminal court.

Learned advocate for the State relies on the report and submits that a number of articles have already been recovered and handed over.

It appears that during investigation of the case, the investigating officer could seize a number of articles including valuable jewellery and the same were returned to the victim. However, it is the claim of the petitioner that some other valuable articles have still not been seized.

The petitioner can fairly express her grievance before the trial court and pray for further investigation in this regard.

As such, this Court does not find sufficient reason to intervene.

With the aforesaid observations, the writ petition is disposed of.

Urgent certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

[Jay Sengupta, J.]