

19.01.2023
Court No.13
Item No.35
pk

WPA 25384 of 2022

**Anurupa Mondal & Anr.
Vs.
The State of West Bengal & Ors.**

Md. Sarwar Jahan,
Mr. Maidul Islam Kayal,
Mr. Sumit Naskar,
Mr. S.N. Thandar

... for the Petitioners.

Mr. Saunak Bhattacharya,
Mr. Saunak Mondal

... for the respondent nos. 7 to 12.

Affidavit of service filed in Court is taken on record.

The writ petitioners complain that she and her husband are being tortured by the daughter-in-law and are prevented from using the toilet in the house until 11 a.m. It is submitted that the daughter-in-law is residing in the said premises along with a large number of relatives and friends. The daughter-in-law has lodged a complaint, inter alia, under Sections 498A/406/307 of the IPC and under Sections 3/4 of D.V. Act.

Police have investigated the complaint and charge sheet being No. 395 of 2020 dated 23.06.2020 has been filed against Mousam Mondal, Monoj Mondal and Anurupa Mondal/the petitioner herein.

The petitioners have, in turn, lodged a complaint against the private respondents, which is registered as FIR and investigation has been completed.

Bishnupur PS Charge Sheet No. 240 of 2022 dated 25.04.2022 under Sections 448/323/354/506/34 of the IPC has been filed against the respondent nos. 7 to 11. Another charge sheet has also been filed being Bishnupur PS Charge Sheet No. 301 of 2022 dated 20.05.2022 under Sections 448/427/325/506/34 of the IPC against the respondent nos. 7 to 11.

This Court is of the clear view that there is bad blood between the petitioners and the private respondents.

The private respondent no. 7, Purnima Mondal shall reside in the premises along with her minor daughter and shall not be entitled to bring any relatives and friends inside the house. The petitioners shall be entitled to use the toilet in the house at any point of time and on priority.

The petitioners may also construct another toilet in accordance with law within the premises.

The O.C, Bishnupur Police Station shall ensure that there is no breach of peace in the family.

The writ petition is disposed of.

There will be no order as to costs.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)