

Court No. 5
09.11.2023
(Item No. 15)
(AB)

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side

W.P.A. 25853 of 2023

Smt. Rita Mondal
VS
The State of West Bengal & Ors.

Mr. Debasis Kar
..... for the petitioner
Mr. Jahar Dutta
Mr. Amit Halder
..... for the State

Affidavit of service filed in Court today is taken on record.

The petitioner has been arraigned as an accused in a criminal proceeding. An order under Section 438 of the Cr.P.C. was passed by this Court on 17th October, 2023 in CRM 4747 of 2023 (Debasish Mondal & Ors.).

The petitioner apprehends that the private respondents may physically harm her. It has been submitted that the private respondents have ransacked and damaged the property of the petitioner. A complaint was lodged before the police and a police case has been started. Petitioner apprehends further physical assault and damage at the hands of the private respondents.

It appears that the copy of the writ petition, though was put to service, but has not been served upon the private respondents.

In view of the order that I propose to pass, none of the non-appearing parties shall be prejudiced if the writ petition is disposed of in the following manner.

The Inspector-in-Charge, Rahara Police Station, Barrackpore Police Commissionerate and the Inspector-in-Charge, Daspur Police Station, Paschim Medinipur are directed to ensure that no injury is caused to the life and property of the petitioner at the hands of the private respondents.

The criminal proceeding that is pending be investigated properly by the police.

The writ petition being **WPA 25853 of 2023** stands disposed of.

There shall, however, be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be given to the parties after completion of all legal formalities.

(Amrita Sinha, J.)