

25.01.2023
Court No.13
Item No.23
pk

WPA 26952 of 2022

**Bina Sao
Vs.
State of West Bengal & Ors.**

Mr. Sougata Mitra,
Ms. Subhasri Chatterjee,
Ms. Ankita Dey

...for the petitioner.

Despite service of notice, State and the private respondent is not represented.

The writ petitioner complains that she is unable to reside in her own house and is staying in Dhanbad since 2017 out of fear of her daughter-in-law.

The I. C., Purulia (Town) Police Station submits that there are two proceedings taken out against the petitioner and her husband being C.P. 1335 of 2009 under Sections 498A/325 of the IPC and Purulia Town P. S. Case No. 119 2013 dated 30.10.2013 under Sections 498A/323/325/34 of the IPC. The said two cases have resulted in charge sheet.

There is also a maintenance case being Maintenance Case No. 339 of 2017 under Section 125 of the Cr. P. C. pending before the Principal Judge, Family Court at Dhanbad, and a Misc. Case being Misc. Case No. 65 of 2018 under Section 12 of the D. V. Act filed against the petitioner. The daughter-in-law is living alone in the house. Since the house is registered in the name of the petitioner, the petitioner may return back to her house.

The I. C., Purulia Town Police Station shall ensure that the petitioner and the private respondent/daughter-in-law live in peace and without friction in the said house.

The petitioner undertakes before this Court to maintain good relations with her daughter-in-law. Criminal proceedings may go on in accordance with law.

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.)