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Court no. 14
05.01.2024
D.Hira

W.P.A. 56 of 2024

Sabir Chowdhuri
-versus
The State of West Bengal & Ors.

Mr. Mohinoor Rahaman,
Mr. Iqra Rahaman.
... for the petitioner

Mr. Suman Sengupta,
Mr. Sambuddha Dutta.
... for the State

Affidavit-of-service filed on behalf of the petitioner in Court today is taken on record.

It does not appear that the private respondents could be served with notice. However, they are in the shoes of an accused in this case.

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 husband of the respondent no. 4. The other private respondents are the accomplices of the errant wife. The marriage between the couple had taken place on 2006 and in 2009 a male child was born. In 2019 the wife left the petitioner and the minor child and went to her boyfriend. The petitioner gave her talak in May, 2013. Recently, the erstwhile wife came back with the private respondents and started to disturb and intimidate the petitioner and his family members. He was forced to sign on a blank document. He was brutally assaulted. But no action was taken by the police authorities.

Learned counsel appearing on behalf of the State relies on the report and submits that on the allegations

made by the petitioner, a specific FIR being Raina PS case no. 635 of 2023 dated 28.12.2023 under Sections 448/342/323/325/506/34 of the Indian Penal Code has already been registered. The same is being investigated into.

It appears that the prime grievance of the petitioner non-registration of FIR of his complaint has already been redressed.

Therefore, no further order needs to be passed on this writ petition.

However, the police authorities shall keep a vigil at the locale, ensure that no breach of peace takes place and that no order of a Civil Court is violated. The surveillance shall include frequent visits by the police patrol.

With these observations, the writ petition is disposed of.

Since no affidavits have been directed to be exchanged in the writ petition, all the allegations contained therein are deemed not to have been admitted by the parties.

All parties are directed to act on a server copy of this order, duly downloaded from the official website of this Hon'ble Court.

(Jay Sengupta, J.)