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25.06.2024
d.p.

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A 4939 of 2024

**Shukla Saha
-versus
The State of West Bengal & Ors.**

**Mr. Neil Basu,
Mr. Sankha Biswas,
Mr. Dibayan Banerjee,
Mr. Abhijit Roy Chowdhury.
...For the Petitioner.**

**Mr. Amitesh Banerjee, SSC,
Mr. Tarak Karan.
...For the State.**

The petitioner alleges that she has been forcefully ousted from her own house by her daughter-in-law. The son of the petitioner has expired. The daughter-in-law is not allowing her mother-in-law, i.e, the petitioner herein to reside at the said premises.

The daughter-in-law lodged complaint alleging cruelty against the petitioner and FIR under Section 498A IPC has been registered against the petitioner.

A complaint was lodged before the police by the petitioner pursuant to which the Baruipur Police Station Case No. 1539 of 2023 dated 16th November, 2023 under Sections 448/341/323/379/427/506/34 IPC was registered.

Investigation of the said case was complete and the same ended in a charge sheet being Baruipur PS

CS No. 1623 dated 28th December, 2023 against the FIR named persons the respondent nos. 7, 8 and 9.

In response to the complaint lodged by the private respondent no. 7 the Baruipur Police Station Case No. 1316 of 2023 dated 6th October, 2023 was registered against her husband and the writ petitioner. The same ended in charge sheet being Baruipur Police Station Charge Sheet No. 1407 of 2023 dated 31st October, 2023 under Section 498A IPC against the FIR named persons.

As the petitioner alleges that she has been restrained from entering her own house, accordingly, the police is directed to ensure that the petitioner may return to her house provided there is no restraint order restraining the petitioner from entering her house by any court of competent jurisdiction.

The police shall ensure that there is no breach of peace in the locale and the life and property of the petitioner is not jeopardized at the hands of the private respondents.

The writ petition stands disposed of.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Amrita Sinha, J.)