

S/L 30
26.02.2024
Court No.238
SD

WPA 5270 of 2024

Kalpana Sarkar & Ors.

Vs.

The State of West Bengal & Ors.

Mr. Sandipan Das

Mr. Badrul Karim

Mr. Sarajit Roy

Ms. Suparna Dutta

...for the Petitioners.

Mr. Somnath Ganguli

Ms. Priyamvada Singh

...for the State.

Learned advocate for the petitioners submits that the petitioners are not being allowed to enter their residential house on the ground that the husband of petitioner no.1 has been implicated in a criminal case.

Mr. Somnath Ganguli, learned advocate for the State submits that Bagnan Police Station has submitted Charge Sheet No.665 of 2023 dated October 7, 2023 under Sections 302/201/120B of the IPC against the husband of the petitioner before the competent criminal Court.

Learned advocate for the petitioners, however, restricts the prayer to an order so that the petitioners can retrieve some medical documents of petitioner no.1 and some educational testimonials of petitioner no.2 from their residential house.

I do not find any reason not to entertain the prayer of the petitioners. The petitioners cannot be restrained from entering their residential house in absence of any order by a competent authority.

Accordingly, this writ petition is disposed of by allowing the petitioners to collect the documents as they desire from their residential house.

Mr. Ganguly submits that petitioners' presence in the locality may provoke resentment amongst the local people.

To avoid any untoward incident in the locality, the petitioners shall be accompanied by the police personnel deputed by the Officer-in-Charge, Bagnan Police Station during their visit.

The petitioners shall intimate the date of their visit by giving at least 48 hours' prior notice to the Officer-in-Charge of the local police station.

Accordingly, this WPA 5270 of 2024 is disposed of.

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

(Kausik Chanda, J.)