28-06-2024
Item No.22
Subrata
Bhattacharyya
AR(C)

IN THE HIGH COURT AT CALCUTTA

Constitutional Writ Jurisdiction
Appellate Side

WPA No.5320 of 2024
Annesa Dey
-vs-
The State of West Bengal & Ors.

Ms. Priyakshi Banerjee ...for the petitioner

Mr. Santanu Kumar Mitra, Sr. Govt. Adv.
Ms. Anandomoyee Ghosh ...for the State

The petitioner alleges inaction on the part of the police in not taking steps for proper investigation of the complaint lodged by her before the Baguiati police station on February 9, 2024.

The allegation is that the petitioner's mother-in-law behaves in a cruel manner with her. The petitioner has lodged a series of complaints against her in-laws. No steps have been taken in response thereto.

Learned advocate representing the State relies upon a report of the sub-inspector of police of Baguiati police station, Bidhannagar Police Commissionerate signed on June 28, 2024 which mentions that the petitioner and her husband reside at different address and that the parents-in-law of the petitioner reside at a separate premises. It is the petitioner who visits her parents-in-law's house and threatens and abuses them with slang and filthy languages. Police have inquired and submitted prosecution under section 107 CrPC against the petitioner.

On a query of the court, learned advocate for the petitioner admits that the petitioner and her husband reside separately from her parents-in-law. It has been submitted that the petitioner has access to the other house where the parents-in-law reside.

It appears from the submission on behalf of the petitioner that she has interest on both the properties. The report of the police mentions that the private respondents are senior citizens and that the petitioner and her husband do not take care of them.

It is the duty of the petitioner being the daughter-in-law to take care of her aged parents-in-law and not fight with them for the property.

In view of the above, I dispose of the writ petition directing the police to ensure that no breach of peace takes place in the locale.

Certified copy of this order, if applied for, shall be made available to the parties.

[Amrita Sinha, J]