

Court No. 35
(265777)

WPA 6298 of 2024

11.12.2024

(A 510)

(S. Banerjee)

Tumpa Mondal

Vs.

State of West Bengal & Ors.

Mr. Siddhartha Sarkar

...for the petitioner

Mr. Wasim Ahmed

Sk. Md. Masud

...for the State

The petitioner complains that pursuant to the private respondents infringing upon her modesty as well as assaulting and injuring her, Liluah Police Station Case No. 88 of 2024 dated 18.02.2024 was registered under the relevant provisions of Indian Penal Code. Subsequently the accused persons, who are the private respondents in the present case, are creating undue pressure upon the petitioner to withdraw the said case and are trying to shut down the shop of the petitioner's husband. To that effect an information was sent to the Commissioner of Police, Howrah and the Inspector in Charge of Liluah Police Station on or about 23.02.2024.

Report submitted by the State reflects that steps are being taken by the police authority in respect of the progress of the investigation. However, police authority while dealing with the subsequent

information of threat for withdrawal of the case as well as for shutting down the shop of the petitioner's husband, has found the same without any substance and accordingly the same was recorded as GDE No. 47 dated 01.03.2024.

The petitioner is directed to approach the learned Chief Judicial Magistrate, Howrah who would consider the anxiety and the plight of the petitioner in the background that she is being compelled to withdraw the case. To that effect learned Magistrate would assess regarding the provisions of the Witness Protection Scheme, 2018 and the guidelines made by the Hon'ble Supreme Court in the case of Mahender Kumar Chawla –Vs.- Union of India, reported in AIR 2018 SC (Supp) 2561. The learned CJM would accordingly call for an enquiry regarding the threat perception, analyse the same and thereafter pass direction according to the Scheme.

With the aforesaid observations, WPA 6298 of 2024 is disposed of.

Report so submitted by the State, be kept with the record. Copy of the report be handed over to the learned advocate appearing for the petitioner.

(Tirthankar Ghosh, J.)