

S/L 16
20.3.2024
Court No.14
SD

WPA 7703 of 2024

Hosenara Dhali & Anr.
Vs.
The State of West Bengal & Ors.

Mr. Neil Basu
Mr. Sankha Biswas

...for the Petitioners.

Mr. Himadri Sekhar Chakraborty
Ms. Susnita Saha

...for the State.

Affidavit of service filed on behalf of the petitioners is taken on record.

Report filed on behalf of the State is also taken on record.

Learned counsel appearing on behalf of the petitioners submits as follows. The petitioner no.1 is the mother of a person accused of murder and the petitioner no.2 is her daughter-in-law. After the alleged incident of murder took place, the private respondents and other neighbours of the petitioners drove out the petitioners from their residence. Out of fear the petitioners are unable to return home. Threats and intimidations are still being given asking them not to return to their residence. Adequate police help may be rendered so that the petitioners can return to their only residence.

Learned counsel appearing on behalf of the State relies on the report and submits that earlier an attempt was made to escort the petitioners back to their residence. But, there was severe resistance from the locals. The police will

have to engage a greater number of personnel to escort them back to their residence.

It appears that the relative of the petitioners is an accused in a murder case and he is now in a correctional home. This cannot be a reason for the neighbours not to allow the petitioners to stay away from their own residence.

Let the petitioners intimate the intended date and time of their return to their residence to the Officer-in-Charge, Baruipur Police Station with 24 hours' notice. The Officer shall then make necessary arrangements to escort them back to their residence accompanied by adequate number of armed police personnel. The entry to the residence shall be videographed.

Even thereafter, the police authorities shall keep a sharp vigil at the locale and ensure that no breach of peace takes place and no harm is done to the petitioners. The surveillance shall include frequent visits by police patrol.

With these observations, WPA 7703 of 2024 is disposed of.

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

(Jay Sengupta, J.)