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18.04.2024
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Ct 14

WPA 10958 of 2024

Dipa Hazra
-vs-
The State of W.B. & ors.

Mr. Arun Kumar Maiti (Mohanty)
Mr. R. R. Mohanty
Ms. Snigdha Ghosh
Mr. Shivam Saha

...for the petitioner

Mr. Amitesh Banerjee, Sr. Standing Counsel
Mr. Rudrajit Sarkar
Mr. Debangshu Dinda

...for the State

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

It does not appear that the private respondent could be served with notice.

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

Learned counsel appearing on behalf of the petitioner submits as follows. The private respondents have been disturbing the possession and enjoyment of the property by the petitioner. On 04.04.2024, the private respondents along with other miscreants attacked the house of the petitioner. They molested a member of the family threatened the other members at the point of knife and thereafter, forcibly took

possession of a portion of the premises after breaking a lock. This was done without any order of a Court and in collusion with a local traffic police personnel and the local Bazar Committee. A specific complaint was made before the police, but no steps were taken.

Learned senior standing counsel representing the State submits as follows. The allegation of police inaction is denied. The complaints did not contain any reference to a police constable. In any event, a specific FIR has been registered on the complaint of the petitioner being Tamluk PS Case No. 341 dated 16.04.2024 under Sections 448, 323, 354B, 427, 506 and 34 of the Indian Penal Code. The allegations are being investigated. The petitioner is not co-operating with the investigation of this case.

At this stage, learned counsel appearing on behalf of the petitioner points out that this FIR was registered only after the writ petition was filed by the petitioner. It is denied that the petitioner is not co-operating with investigation.

Be that as it may, at least now the police have registered an FIR on the complaint of the petitioner.

Let the investigation be concluded expeditiously and in accordance with law and under the supervision of the concerned SDPO.

The police authorities shall keep a sharp vigil at the locale and ensure that no harm is done to the petitioner and her family members. The surveillance shall include frequent visits by police patrol.

With these observations, the writ petition is disposed of.

As affidavits were not called for, allegations are deemed not to have been admitted.

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

(Jay Sengupta, J.)