

31.07.2024
Item No. 10
Ct. No. 01
AN

**MAT 1448 of 2024
with
IA No. CAN 1 of 2024
CAN 2 of 2024**

**Rigiya Begum
Vs.
Sabnam Yasmin & ors.**

Ms. Amrita Pandey
Mr. D. Dutta
Mr. Subhajit Chowdhury
Ms. Bipasha Jaiswal

... For the Appellant

Mr. Samim Ahammed
Mr. Najimuddin Siddiqui
Ms. Saloni Bhattacharya
Mr. Arka Ranjan Bhattacharya
Ms. Amibiya Khatoon
Mr. Aniruddha Singh

... For respondent no. 1

Mr. Suman Sengupta
Ms. Priyamvada Singh

... For the State respondents

1. We have heard learned counsel for the respective parties elaborately.

2. This intra-Court appeal filed by a third party is directed against the order dated 14.06.2024 passed in WPA 15664 of 2024 which was filed by the first respondent herein on the ground that her cousin brother was threatening her with dire consequences and they also brutally assaulted her and outraged her modesty. On

16.05.2024, the writ petition was filed largely on the ground of Police inaction.

3. The learned Single Judge after taking into consideration the facts of the case directed the investigation to be conducted in a proper manner and also directed the Deputy Commissioner of Police, Chandernagore Police Commissionerate to oversee the investigation. The appellant before us has now come forward with this appeal stating that her petition filed before the competent court for anticipatory bail has been rejected purportedly on the ground that the writ court has passed certain directions.

4. However, we are not in a position to accept such plea as it is for the Court dealing with an application for anticipatory bail is to decide the same on merits and in accordance with law. We find that the appellant herein can neither be said to be a proper or necessary party to the writ petition nor the leave sought for to file an appeal against the impugned order can be granted. However, we all note that the writ petitioner has presumed her studies in law and she should be in a position to complete her studies successfully.

5. Hence, we find no grounds to entertain this appeal and the same stands **dismissed**. Consequently, connected applications, if any, also stand dismissed.

(T. S. Sivagnanam)
(Chief Justice)

(Hiranmay Bhattacharyya, J.)

