

25.09.2024
Item No.143
Ct. No.35
dc.

W.P.A. 19846 of 2024

**Jaya Devi
versus
The State of West Bengal & Ors.**

Mr. Himadri Barua,
Mr. Biswajit Das ... For the Petitioner.

Mr. Rajarshi Basu,
Mr. K. M. Hossain ... For the State.

Affidavit-of-service filed in Court today be kept with the record.

Learned advocate appearing for the petitioner draws the attention of the Court to the complaint which was forwarded to the Superintendent of Police and Officer-in-Charge both of Chinsurah, Hooghly. The main grievance of the petitioner is that in spite of informing the police authorities, the petitioner has been assaulted and threatened that she would be abducted and kidnapped. In spite of the same, the police authorities have not taken any steps. Needless to state that there was a previous criminal case which was initiated and for which the accused persons have been charged.

In view of the pendency of the criminal proceeding which has been initiated at the behest of the present petitioner, I direct that the consequences of the criminal case so pending will definitely have some bearing. Accordingly, the petitioner is granted liberty to take appropriate steps before the jurisdictional court in seisin of the

criminal case thereby drawing the attention under Section 216 of BNSS, 2023 which relates to threatening of witnesses at the instance of the accused persons. The concerned court will act in accordance with law and pass appropriate orders.

If the accused persons are on bail, in that case the petitioner would also be at liberty to approach the same court where the criminal proceeding is pending for cancellation of bail of the accused persons.

With the aforesaid observations, the writ petition being WPA 19846 of 2024 is disposed of.

Pending connected application, if any, is consequently disposed of.

There shall be no order as to costs.

All concerned parties shall act on the server copy of this order duly downloaded from the official *website* of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)