

03.10.2024
Item No.2
PG
Ct. No.7

W.P.A. 21304 of 2024

**Firoza Bibi & Anr.
vs.
The State of West Bengal & Ors.**

Mr. Sabyasachi Chatterjee
Mr. Omar Faruk Gazi for the petitioners

Mr. Suman Sengupta
Ms. Amrita Panja Moullickfor the State

1. When the writ petition was taken up for hearing on September 24, 2024, learned advocate for the petitioners submitted that the petitioners were not allowed to enter into their property and in spite of specific complaints being lodged with the police authorities, no steps in that regard had been taken.
2. On the basis of such submission, this Court directed the Inspector-in-Charge, Basirhat Police Station to file a report with regard to such allegations. Thereafter, the matter was taken up on October 1, 2024, when the learned advocate appearing for the State filed the report of the Inspector-in-Charge, Basirhat Police Station dated September 30, 2024. In the said report, it was specifically stated that as per the direction of the Officer-in-Charge, RT officer namely SI Mustakin Mondal made inquiries at the locality and found that

the petitioner no.1 and her husband were residing in their own house with their family members. The RT officer also took photograph when the petitioner was present in her house.

3. The report of the Inspector-in-Charge, Basirhat Police Station dated September 2, 2024 along with the photographs have been placed before this Court today. The husband of the petitioner, who is present in Court was shown the photograph by Mr. Chatterjee, learned advocate for the petitioners and he, after looking at the same recognised the photographs of the person inside the house to be that of the petitioner. It is, therefore, evident that the petitioner is present in her house.
4. Mr. Chatterjee, learned advocate for the petitioners submits that several complaints have been lodged by the petitioners with regard to the incident that took place on June 16, 2024 but the police authorities have not taken any step with regard to the complaint lodged by the petitioners.
5. From the report of the Inspector-in-Charge, Basirhat Police Station dated September 2, 2024, it appears that with regard to the incident, which happened on June 14, 2024, one Emdadul Mali lodged a written complaint on June 14, 2024 and pursuant to such complaint, an F.I.R. has been registered vide Basirhat Police Station Case No. 394 of 2024 dated June 14, 2024 under sections 341/326/307/34 of the Indian Penal Code and

Sections 25/27 of the Arms Act and section 9(b) of the Explosive Act. The report states that the investigation is going on in connection with the said F.I.R.

6. The said report further states that pursuant to the written complaint lodged by the petitioners with regard to the incident that took place on June 16, 2024, an F.I.R. being Basirhat P.S. Case No.-619 of 2024 dated August 29, 2024 under sections 448/ 427/ 435/ 325/ 354A/ 354B/308/506/34 of the Indian Penal Code against Pintu Mondal and 33 others have been registered and investigation is in progress.
7. Mr. Sengupta, learned advocate appearing for the State submits that the husband of the petitioner viz. Ayub Ali Gazi was arrested on August 30, 2024 in connection with Basirhat P.S. Case No. 394 of 2024 dated June 14, 2024 and subsequently, he was released on bail.
8. The concerned investigating officer is directed to conclude the investigation pursuant to the Basirhat P.S. Case No. 394 of 2024 expeditiously.
9. Since the investigation in connection with the F.I.R. registered on the basis of the complaint lodged by the petitioners is in progress, the concerned investigating officer is directed to conclude the investigation expeditiously and to take all consequential steps thereupon.

10. The petitioners will be at liberty to approach the concerned jurisdictional court, if they are feel aggrieved with the further progress of the investigation.
11. With the aforesaid directions/observations, the writ petition is disposed of.
12. There shall be, however, no order as to costs.
13. Urgent photostat certified copy of this order, if applied for, be furnished to the parties expeditiously upon compliance of all legal formalities.

(HIRANMAY BHATTACHARYYA, J.)