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25.09.2024
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IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

W.P.A. No. 21473 of 2024

Hosenara Bibi Mondal & Anr.
Vs.
The State of West Bengal & Ors.

Mr. Abdus Salam
...for the petitioners

Mr. K.J. Yusuf,
Mr. Parikshit Goswami
...for the State

Affidavit of service filed today is taken on record.

The learned Advocate appearing for the petitioner submits that in spite of the fact that the petitioners have lodged a complaint before the Superintendent of Police, Purba Bardhaman, vide letter dated July 29, 2024, no steps have been taken by the police authorities till date.

In the said complaint it has been specifically stated that the private respondents have assaulted the petitioner nos. 1 and 2. Since a complaint has been lodged, it is the duty of the police authorities to act in accordance with law. If the complaint discloses a cognizable offence, the Superintendent of Police, Purba Bardhaman, shall either take steps on the basis of the complaint or forward the same to the Inspector-in-Charge, Kalna Police Station.

After considering the said complaint, if the complaint discloses a cognizable offence, steps in accordance with law shall be taken forthwith. In the event the authorities decide against registration of a First Information Report, reasons therefor are to be communicated to the petitioners within a period of two weeks from the receipt of a server copy of this order.

With the above observations and directions, this writ petition stands disposed of.

The Inspector-in-Charge, Kalna Police Station is directed to ensure that no breach of peace takes place at the locale.

There shall, however, be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be made available to the parties upon compliance of necessary formalities.

(Hiranmay Bhattacharyya, J.)