

03.10.2024
Sl. No. 120
g.b.
Court No.07

W.P.A. 21986 of 2024

Nibedita Ghoshal @ Nibedita Ghoshal (Das)
-Vs-
The State of W. B. & Ors.

Mr. Debasis Kar
Mr. Arka Tilak Bhadra
.....For the Petitioner
Mr. Jayanta Samanta
Mr. Soumen Chatterjee
.....For the State

The petitioner states that the husband of the petitioner died at Premises No. C/5 Housing Estate, No. 10 MB Road, P. O. Nandannagar, PS Belgharia, Kolkata 700 083 on 23.02.2024. The petitioner states that at the time of death of the husband, the petitioner was not present in the said property. The petitioner came to the said property upon hearing the news of the death of her husband but the police authorities have prevented her from entering into the said house. The petitioner further alleges that the keys of the said property is at present lying with the police authorities and they have refused to hand over the keys of the said property to the petitioner.

Mr. Samanta, learned advocate appearing for the State files a report of the Officer-in-charge, Belgharia Police Station dated 3rd October, 2024.

It appears from the said report that an unnatural death case no. 5 of 2024 dated 23rd February, 2024 has been started.

Mr. Kar, learned advocate for the petitioner submits that the keys of the said property is at present lying with the Officer-in-charge, Belgharia Police Station. He further submits that the keys of the said property can be handed over to the petitioner only after the petitioner succeeds in establishing her identity.

The petitioner will be at liberty to approach the police authorities for returning of the keys and if such an approach is made, the police authorities after making necessary enquiries shall take steps in accordance with law.

The learned advocate for the petitioner upon instruction, submits that the petitioner is ready and willing to visit the Belgharia Police Station and report before the Inspector-in-charge, Belgharia Police Station on 4th October, 2024 at about 12 noon.

The learned advocate for the petitioner submits that the husband of the petitioner died at 28 No. N. K. Chatterjee Street, P. O. & P. S. Belgharia, Kolkata – 700 056. Such premises is within the jurisdiction of Officer-in-charge, Belgharia Police Station. It is for the petitioner to satisfy the Inspector-in-charge as to the correct address of the property where the husband of the petitioner died.

The Inspector-in-charge, Belgharia Police Station being respondent no. 3 is directed to make necessary enquiry and upon being satisfied, will return the keys to the petitioner, if the petitioner is otherwise entitled to get the keys in respect of the said property.

With the above observation and direction, the writ petition stands disposed of.

There shall be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties after completion of all necessary formalities.

(Hiranmay Bhattacharyya, J.)