

28.11.2024
Item No.34
Ct. No.35
dc.

W.P.A. 24300 of 2024

Afsana Khatoon
versus
The State of West Bengal & Ors.

Mr. Sandip Ray,
Mr. Sayantan Adhya,
Mr. N. H. Choudhury,
Mr. Parvej Alam ... For the Petitioner.

Mr. Amitesh Banerjee, sr. standing counsel,
Mr. Debangshu Dinda ... For the State.

Report submitted by the learned advocate appearing for the State be also kept with the record.

The petitioner is aggrieved by the act and actions of the police authorities for delay in registration of the FIR. The petitioner submits that she was mercilessly assaulted, not allowed free access at her home and till date she is unable to stay at her own home.

State has submitted a report which reflects that two cases – one at the behest of the petitioner and another at the behest of the private respondent nos. 4, 5 and 6 have been registered by the Officer-in-Charge, Ultadanga Police Station being Ultadanga Police Station Case No. 98 dated 31.07.2024 and Ultadanga Police Station Case No. 99 dated 31.07.2024. At this stage, I am of the view that the police authorities have taken steps for registration of the FIR.

So far as the other accusations are concerned particularly the petitioner not being able to enter

her residence in spite of enjoying an order from the civil court, I direct the petitioner would make an application for police assistance before the jurisdictional civil court. If the jurisdictional civil court passes an order, in those circumstances the police authorities would respect and obey the order.

The petitioner further complains of being threatened regularly of dire consequences including her life being at stake.

The Officer-in-Charge, Ultadanga Police Station will prepare a threat analysis report after considering the threat perception of the present petitioner and file such report before the learned ACJM, Sealdah who is in seisin of the matter.

It would be the duty of the police authorities to ensure that further physical torture or infliction of injury or for that matter there is no physical injury committed to both the parties who have initiated the aforesaid two cases.

Since both the petitioner and the private respondents are at loggerhead, the Officer-in-Charge, Ultadanga Police Station would keep a strict vigil and ensure that no further untoward incident crops up because of the inimical relationship between the petitioner and the private respondents.

So far as the allegations made in the writ petition are concerned, since the State has not used

any affidavit, the accusations are deemed to be disputed and denied.

With the aforesaid observations, the writ petition being WPA 24300 of 2024 is 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.)