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03.01.2024
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Ct 14

WPA 24405 of 2023

Aryama Chakraborty (Rakshit)
-vs-
The State of West Bengal & ors.

Mr. Ayan Kumar Boral
Mr. Sabyasachi Bhattacharjee
...for the petitioner
Mr. Prabir Kr. Mitra
Mr. Pinak Kr. Mitra
Ms. Ariba Shahab
...for the private respondents
Mr. Amitesh Banerjee, Sr. Adv
Mr. Tarak Karan
...for the State

Affidavit of service filed on behalf of the petitioner is taken on record.

Report filed on behalf of the State is also taken on record.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is the wife of the respondent no.6. The other private respondents are her in laws. The petitioner has been brutally tortured by the private respondents. She was compelled to lodge an FIR in Chatterjeehat PS Case No. 192 of 2023 dated 28.09.2023 under Sections 498A, 406, 506 and 34 of the Indian Penal Code and Sections 3 and 4 of the Dowry Prohibition Act. Even after registration of this FIR, atrocities were committed by the private respondents. The police had not acted properly. They did not even file any final report in respect of

the FIR.

Learned counsel appearing on behalf of the private respondents submits as follows. The allegations made in the writ petition are denied. There are several proceedings instituted by the petitioner including one under the Protection of Women from Domestic Violence Act. Thus the prayer to enter into the matrimonial home is not quite maintainable. In fact, owing to the torture committed by the petitioner, the private respondents are having to reside outside their own residence.

Learned senior counsel representing the State relies on the report and submits as follows. The case started by the petitioner is being investigated. All necessary steps have been taken including conducting Medico-legal Examination. On the basis of a subsequent complaint made by the petitioner, Chatterjeehat Police Station Case No. 233 of 2023 dated 13.11.2023 was started under Sections 323, 506, 195A, 354, 376D, 307 and 120B of the Indian Penal Code. The same is also been investigated.

It appears that the police have taken steps in investigating the instant case as also in filing a subsequent FIR on the allegations made by the petitioner.

Let the Investigations be concluded expeditiously and in accordance with law.

No further order need be passed in this regard.

With these observations, the writ petition is disposed of.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Jay Sengupta, J.)