

49 08.01.2024
NB Ct. 14

WPA 24639 of 2023

Saikat Dutta
Vs.
The State of West Bengal & Ors.

Mr. Kalyan Kr. Chakraborty,
Mr. Kasinath Bhattacharyya.
...for the petitioner.

Mr. Jhuma Chakraborty,
Mr. Suddhadev Adak.
...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 husband of the respondent no.6 and the respondent no.5 is the paramour of the respondent no.6. The private respondents are moving around in drunk and compromising condition. They have been threatening the petitioner. A complaint has been made before the police authorities, but in vain.

Learned counsel appearing on behalf of the State relies on the report and submits as follows. No cognizable case is made out from the complaint of the petitioner. A matrimonial suit is pending between the private parties. The wife had also filed a proceeding under the provisions of Protection of Women from Domestic Violence Act.

It does not appear that any cognizable case is at all made out from the complaint of the petitioner.

Therefore, no case of police inaction is made out.

Accordingly, the writ petition is dismissed.

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

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J.)