

04.12.2024

BP/AGM
MI. 202
Court No. 35

WPA 26197 of 2024

**Madhumita Bibi
Vs.
The State of West Bengal and Ors.**

Mr. Samrat Paul.
Mr. Anisur Rahaman.
... For the petitioner.

Mr. Amitesh Banerjee.
Mr. Akash Dutta.
... For the State.

The petitioner alleges that there has been an embezzlement of fund in respect of Bharat Mata Sangha Mohila Samabay Samity Ltd and to that effect when the petitioner entered the office she was physically assaulted, manhandled and abused with derogatory languages, further, she was threatened of dire consequences. Police was informed on 15.10.2023, in spite of the same, no action has been taken.

Learned advocate for the State submits that the police authorities have drawn up proceedings. However, the same being non-cognizable offences, according to the enquiry which has revealed, no FIR till date has been registered.

It has also been submitted on behalf of the State that there is a dispute amongst two groups for which complaints and counter complaints are addressed to the Murshidabad Police Station.

Be that as it may, the petitioner is aggrieved by the fact that the police authority did not take action in respect of the complaint dated 15th October, 2023. In case petitioner has any documents in her custody, be it

relating to the accounts of the Cooperative Society or the medical documents associated with the assault which she faced on 15th October, 2023, she would be at liberty to take out an application under Section 175 (3) of the BNSS before the jurisdictional Court. The jurisdictional Court on assessment of the facts of the case will adjudicate the same in accordance with law.

With the above observations, WPA 26197 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 certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Tirthankar Ghosh, J.)

