

S/L 116
08.02.2024
Court No.14
SD

WPA 26256 of 2023

Smt. Dipali Bar
Vs.
The State of West Bengal & Ors.

Mr. Manojit Bhattacharjee
Mr. S. Bhattacharya
Mr. Ranjan Har Chowdhury

...for the Petitioner.

Mr. Rajarshi Basu
Mr. S.T. Mina

...for the State.

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

Despite service no one appears on behalf of the private respondent.

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 owner of the property in question. The private respondents are the neighbours who had been disturbing the possession and enjoyment of the property by the petitioner. They had been abusing the petitioner taking the name of her caste and had been committing serious atrocities including assault and molestation. Complaints were filed before the police, but no action was taken. In fact, the petitioner has been driven out from her residence and out of fear she is not in a position to return back home.

Learned counsel appearing on behalf of the State relies on the report and submits as follows. On the

complaint of the petitioner, specific FIR being Marishda PS Case No.202 dated 06.11.2023 was registered under Sections 323, 324, 325, 354, 379, 427, 448, 506, 34 of the IPC. The case is being investigated. Prayer has also been made for obtaining injury reports of the victims. Police are keeping a close watch on the developments in the locality.

It appears that police have already registered an FIR and in investigating the alleged offences.

Let the petitioner intimate the intended date and time of return to her residence to the Officer-in-Charge, Marishda Police Station with 24 hours' notice. The Officer shall then make necessary arrangement to escort her back to her residence accompanied by armed police personnel. The entry to the residence shall be videographed.

Even thereafter, the police authorities shall keep a sharp vigil at the locale and ensure that no breach of peace takes place and no harm is done to the petitioner. The surveillance shall include frequent visits by police patrol.

In the event any untoward incident occurs or is apprehended by the petitioner, she shall be at liberty to approach the Police Station who shall then act in accordance with law.

With these observations, WPA 26256 of 2023 is disposed of.

Parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Jay Sengupta, J.)