

20 08.01.2024
NB Ct. 14

WPA 26396 of 2023

Rima Jha
Vs.
The State of West Bengal & Ors.

Mr. Mrityunjay Saha,
Mr. A. Bhagat.
...for the petitioner.

Mr. Wasim Ahmed,
Sk. Md. Masud.
...for the State.

Mr. Supratim Dhar,
Ms. Megha Sarkar.
...for the respondent nos.8.

Mr. Sounak Bhattacharya,
Mr. Sounak Mandal,
Mr. Anirban Saha Roy.
...for the respondent no.10.

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

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner's husband, the respondent no.10 is an active member of the local political party. The respondent no.8 is a local councillor and the respondent no.9 is the Assistant Sub-Inspector of Police, Baranagar Police Station. The petitioner had objected to the illegal activities of the respondent no.10. Because of this, the respondent no.10 along with his accomplices like the other private respondents and other party men started torturing the petitioner. On one occasion, she was mercilessly assaulted. This prompted her to move this Court with a writ petition on 09.11.2023. By an order dated 09.11.2023 in *WPA 25903 of 2023*, this Court granted liberty to the petitioner to approach the Commissioner of

Barrackpore Police Commissionerate through the Officer-in-Charge, Baranagar Police Station praying for steps to protect her life and property. In spite of this, the police have hardly taken any effective steps. On the contrary, on subsequent dates, the private respondents have mercilessly assaulted the petitioner.

Learned counsel appearing on behalf of the private respondent no.8 denies the allegations and submits that she was brought into the picture after she, a local councillor, had gone to stop the warring couple from fighting.

Learned counsel appearing on behalf of the respondent no.10 denies the allegations and submits that there is a matrimonial dispute between the private parties. Earlier the wife had filed proceedings under the Protection of Women from Domestic Violence Act as also a case under Section 498A of the Penal Code. Actually, the wife had been residing in her paternal home since long.

It appears from the medical prescription that after allegedly receiving injuries, the petitioner had only taken the name of her husband before the doctor.

Let the proceedings initiated by the petitioner against her husband be taken to their legal conclusion.

The police authorities shall keep a sharp vigil at the locale so that no breach of peace takes place.

However, no further order need be passed at this stage.

With these observations, the writ petition is disposed of.

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

(Jay Sengupta, J.)