

M/L 91
03.03.2025
Bpg.
ct.no.35

W.P.A.1547 of 2025

**Chhabi Rani Das & Anr.
Versus
The State of West Bengal & Ors.**

Mr. Ashok Kr. Sarkar.
...for the petitioners.

Mr. Joydip Banerjee
Mr. Prabir Kr. Ray.
...for the State-respondents.

Mr. D.B. Dutt
Mr. Debasish Das.
...for the respondent nos.9, 10 & 11.

Petitioners complain that the petitioner no.1 being an aged lady and her son are subjected to physical assault at the behest of the private respondents. In respect of such incident, repeated representations were made to the police authorities but in spite of receipt of such information, the police authorities did not take any steps and the petitioners are suffering at the hands of the private respondents who happen to be the son and daughter in law.

State has submitted a report. Report reflects that earlier cases were registered at the behest of the private respondent no.10 being Uttarpara P.S. Case No.458 of 2023 wherein charge-sheet was submitted. Pursuant to the information received from respondent

no.10, another case has been registered wherein also charge-sheet has been submitted. So far as the petitioners' information are concerned, only case has been registered under Sections 126/135(3) of the BNSS.

Learned advocate for the petitioners complain that in spite of order of maintenance being passed, the private respondent no. 9 has not been complying with the same. Execution case to that effect has been preferred before the concerned court.

On the other hand, learned advocate appearing for the respondent nos.9, 10 and 11 submits that the dispute referred to are absolutely family disputes and it is the private respondent no.10 who has been a victim of circumstances and, as such, it would reflect that two criminal cases have been registered and police authorities on investigation found that materials exist to submit charge-sheet against the accused persons.

Be that as it may, in view of the petitioners being aggrieved to the extent that the petitioner no.1 is being subjected to physical torture at the behest of the private respondents, I direct that in case specific accusations are made, police authorities would take steps in accordance with law. However, having regard to the long standing family dispute existing, petitioner

No.1, if so advised, will approach the appropriate authority under the Maintenance and Welfare of Parents and Senior Citizen Act, 2007. Any direction passed by the said authority would be binding upon the police authorities who would respect, obey and implement the order of the said authority. Police authorities would keep a strict surveillance considering the age of the petitioner no.1 and ensure that no untoward incident results because of the existing strained relationship amongst the inmates of the family.

With the aforesaid observations, WPA 1547 of 2025 is disposed of.

There will be no order as to costs.

Report submitted by the State be kept with the record.

Copy of the report be handed over to both the parties.

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

Urgent photostat certified copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Tirthankar Ghosh, J.)