

Sl.No.
85 24.02.2025
Court
No. 35
G.S.Das

WPA 2162 of 2025

Tanusri Saha
-Vs-
State of West Bengal & Ors.

Mr. Phiroze Edulji, Id. Sr. Adv.
Mr. Anand Keshari
Mr. Jay Shankar Mukherjee
Ms. Priyanka Bhattacharya
... for the petitioner(s)

Mr. Swapan Banerjee
Mr. Sk. Adil Rahaman
... for the State - respondent(s)
Mr. Sourav Chatterjee
Mr. Soumya Nag
Mr. Mayukh Majumder
... for the respondent nos. 8,9&10

Supplementary Affidavit filed on
behalf of the petitioner be kept with the
record. Copies of the same have been
served upon the learned advocates for the
private respondents as well as the State.

Earlier, State has submitted a
report which reflects that there is a family
dispute existing. While the petitioner claims
to be the owner of the property, the
private respondents on the other hand,
claim that they have been using a part of

the property as a godown since long.

There was a complaint on behalf of the respondent no.8. Pursuant to which Bolpur P.S. Case No. 13 of 2025 dated 11.01.2025 was registered for investigation.

Mr. Edulji, learned advocate for the petitioner, submits that the petitioner was initially called and forced to compromise on the issues relating to the property which exclusively belongs to the petitioner herself.

It has also been alleged that unnecessarily the petitioner is being called at the police station and she is being detained for a considerable period of time without any substantive interrogation.

Mr. Chatterjee, learned advocate for the respondents, on the other hand, submits that pursuant to the information furnished with the police authorities, the police authorities have registered a case.

It was also pointed out that the

parties have already approached the learned civil court and the learned civil court is *in seisin* of the issues, a *status quo* order has been passed by the learned Civil Judge (Jr. Divn.), 1st Court in T.S. 18 of 2025 in respect of the nature, character and possession of the scheduled property.

Learned advocate for the respondents also submits that the respondents have also filed a civil suit being T.S. 23 of 2025, wherein, same order was passed on 18.01.2025 by the same Court.

Having considered that the learned Civil Court is already *in seisin* of the issues relating to the property, in case, any application is preferred by the concerned parties for rendering police assistance and the learned Civil Court is pleased to pass a direction by exercising its discretion for necessary directions upon the police authorities for rendering police

assistance, the police authorities will respect, obey and implement such order.

So far as the issue relating to the petitioner being called at the police station and kept awaiting for a considerable period of time without being confronted with any issues relating to the investigation of the case after the petitioner has obtained bail from the jurisdictional court, I direct that if the petitioner is faced unnecessarily with similar circumstances, the petitioner would make an application before the learned ACJM, Bolpur and the learned Public Prosecutor concerned will satisfy regarding the requirements of the petitioner for the purposes of investigation. The learned Magistrate accordingly will fix a schedule for a fixed period of time on a particular date after hearing the petitioner and the Public Prosecutor concerned.

With the aforesaid observations,

WPA 2162 of 2025 is disposed of.

Pending application(s), if any, is also disposed of.

Since affidavits have not been invited, the other allegations made in the writ petition are deemed not to have been invited.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

(Tirthankar Ghosh, J.)