

07.03.2025
Court No. 35

Item No.4
Rakib

W.P.A. 3200 of 2025

Sarbani Bhattacharya.
VS
The State of West Bengal & Ors.

Mr. Souradeep Singha.
... for the Petitioner.
Mr. Dibashis Basu,
Mr. Arun Bandyopadhyay.
... for the respondent no.4&5.
Mr. Joydip Banerjee,
Mr. Dipa Bhattacharya.
... for the State.

Affidavit of service filed by the petitioner be kept
with the record.

Petitioner is aggrieved by the fact that inspite of
information being furnished before the police authorities
on or about 17.01.2025, no action has been taken by the
Inspector-in-Charge, Chinsurah Police Station. According
to the petitioner she is a single widow lady with her son
who is mentally challenged and the private respondents
kidnapped him and by using him has got signatures in
blank papers, thereby trying to grab the properties.

Police authorities have submitted a report which is
not in consonance with the factual circumstances
narrated, so far as the present petitioner is concerned.

Learned advocate appearing for the private
respondent nos. 4 and 5 denies and disputes the
contentions.

Be that as it may since the petitioner initially submitted her representation with the Inspector-in-Charge, Chinsurah Police Station as well as Commissioner of Police, Chandannagar Police Commissionerate, I am of the view that the petitioner would, if so advised approach the jurisdictional Magistrate under Section 175(3) of the BNSS. Learned Jurisdictional Magistrate would assess regarding the nature of the offence, ascertain whether case for investigation have been made out and thereafter pass necessary orders in accordance with law.

With the aforesaid observations WPA 3200 of 2025 is disposed of.

Report submitted by the State be kept with the record.

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

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

(Tirthankar Ghosh, J.)