

Item No.1
Ct. No.35
dc.

W.P.A. 4500 of 2025

Durga Sharma
versus
The State of West Bengal & Ors.

Mr. Sunny Nandy,
Ms. Oindrila Ghosal,
Mr. Vivek Tripathi,
Ms. Yamini Tiwari ... For the Petitioner.

Ms. Jhuma Chakraborty,
Ms. Munmun Tewari ... For the State.

Mr. Amit Ranjan Pati,
Ms. Khadijatul Kubra
... For the Respondent Nos.5, 6 and 13.

Affidavit-of-service filed in Court today be
kept with the record.

Report submitted by the learned advocate appearing for the State be also kept with the record.

The petitioner is aggrieved by the fact that certain information were not of her at the time when she initially submitted the written information which has been treated to be FIR with the police authorities on 20.12.2024. Subsequently the petitioner informed the same to the Additional Superintendent of Police, Paschim Medinipur on or about 28.12.2024 regarding an incident relating to her daughter being badly touched by one of the male members belonging to the family of the accused persons.

State has submitted a report which reflects that the judicial statement of the informant Durga Sharma was recorded under Section 183 of BNSS.

However, no such incident was divulged before the Judicial Magistrate and as such, the investigating authority was not convinced regarding such factum, neither any other witness was produced in support of the said accusation.

Be that as it may, since the charge-sheet has already been submitted before the jurisdictional court, the petitioner, if she is dissatisfied with the investigation, she will be at liberty to submit a prayer under Section 193(9) of BNSS. Learned Magistrate would consider the veracity of the same and thereafter decide as to whether any direction is required to be passed or not.

As no affidavits have been called for, the allegations and/or accusations made against the private respondents and/or the State-respondents are deemed not to have been admitted.

With the aforesaid observations, the writ petition being WPA 4500 of 2025 is disposed of.

There will be no order as to costs.

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.)