

Sl.No. 18.03.2025
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Court
No. 35
G.S.Das

WPA 4680 of 2025

Maya Sarkar
-Vs-
The State of West Bengal & Ors.

Mr. Moyukh Mukherjee
Mr. Abhijit Singh
Mr. Sarthak Mondal
Mr. Samrat Mandal
Mr. S. Saha
... for the Petitioner(s)
Mr. Suman Sengupta, Id. Sr. Govt. Adv.
Mr. Sanatan Panja
... for the State-respondent(s)

The petitioner is aggrieved by the fact that in spite of the representation made on 05.02.2025 to the Inspector-in-charge of Mohanpur Police Station, Barrackpore Police Commissionerate, no action was taken against one Somnath Saha, Sub-Inspector of Police, who at the relevant point of time was attached with the said police station.

The incidents complained of in the representation dated 05.02.2025 are of dated 15.09.2024 and 17.11.2024.

Mr. Sengupta, learned advocate

appearing on behalf of the State submits a report and states that the said Sub-Inspector of Police has already been transferred to Domjur Police Station under regular order of transfer. Learned advocate also draws attention of this court regarding the antecedents of the present petitioner who was involved in connection with Mohanpur P.S. Case No. 262 of 2022 dated 29.12.2022 as also Mohanpur P.S. Case No. 73 of 2023 dated 13.03.2023. There are other non-FIR cases under Section 126 of the BNSS.

The grievance of the petitioner is in respect of the excesses being inflicted upon her by a public servant and without any lady police personnel being present she was taken to the police station.

Having considered that the representation was made on 05.02.2025 and last of the incidents complained of is in the month of November, 2024, I am of the view that the petitioner would, in the

circumstances, approach the jurisdictional Magistrate under Section 175(4) of the BNSS. The learned Magistrate by exercising his/her discretion would consider the accusations by adhering to the relevant provisions of law.

With the aforesaid observations, WPA 4680 of 2025 is disposed of.

Pending application, if any, is also disposed of.

Report so submitted be kept with the record.

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.)

