

D/L 12
24.02.2025
Kausik
ct.no.35

W.P.A. 5857 of 2023

**Sunita Das & Ors.
Versus
State of West Bengal & Ors.**

Mr. Mukteswar Maity
Ms. Manika Sarkar

...for the petitioner.

Mr. Susovan Sengupta
Mr. Subir Pal

...for the state.

Petitioner is aggrieved by the fact that Narkeldanga PS Case No. 493 dated 11.12.2022 was registered for investigation pursuant to the information filed by one Sangita Das who happens to be the wife of one Mahesh Das. The present petitioners contend that there are 8 (eight) persons namely, (1) Lila Das, (2) Dipak Das, (3) Sunita Das, (4) Nandini Das, (5) Akash das, (6) Dinesh Das, (7) Rahul Das, (8) Umesh Das. Because of the criminal case they are not allowed to enter their residence.

Records reflect that some of the petitioners before this court are accused persons who have been implicated in connection with Narkeldanga PS Case No. 493/2022.

Learned advocate appearing for the State submits that the case was registered in the year 2022

and already steps have been taken by the Investigating Agency.

Be that as it may, since I find that the last of the orders and/or records are of December, 2022 and more than two years have passed since then, presumably the said case being Narkeldanga PS Case No. 493/2022 has progressed.

Accordingly, I direct that the learned Court be it the learned ACJM Sealdah or any judicial Magistrate in seisin of the matter would on an application filed by the petitioners, consider whether there is any order for the petitioners being restrained from entering into their residence. In case such an restrain order is not there, the concerned Magistrate in seisin of the matter would ensure that proper police assistance be rendered for the petitioners to enter their residence.

If such an application is filed before the Magistrate, learned Magistrate would put in efforts so that the same is disposed of within a period of 4 weeks from the date of filing of the application after affording opportunity to the parties.

With the aforesaid observations WPA 5857 of 2023 is disposed of.

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

(Tirthankar Ghosh, J.)