

M/L 258
10.09.2025
ct.no.35
Kausik

W.P.A. 5759 of 2025

**Ganesh Chandra Maiti @ Ganesh Chander Maiti
Versus
The State of West Bengal & Ors.**

Mr. Balaram Pandit
Mr. Krishna Deo Das

...for the Petitioner.

Mr. Swapan Kr. Dutta, Sr. Adv & AGP
Mr. Rajat Dutta

...for the State.

Petitioner informed the police station on or about 08.03.2025 complaining that his wife had an illicit relationship and had taken away valuables. In spite of informing the same, no steps were taken by the police authorities.

State has submitted a report which reflects that Patashpur PS GDE No. 1164 dated 23.12.2024 was registered for investigation.

Petitioner as on 12.03.2025 written to the Officer-in-Charge, Patashpur Police Station that he does not intend to proceed with a case. Consequently, the police authorities did not take any steps. However, police authorities found that the petitioner's wife was staying at her paternal house.

In view of the document which has been enclosed by the police authorities of one Ganesh

Chandra Maity, prima facie, it reflects that there was reluctance on the part of the petitioner to start a proceeding. Petitioner is ready and willing to proceed with a case, as such petitioner would approach the jurisdictional Magistrate under the relevant provisions of section 175(3) BNSS. Learned Magistrate would assess and ascertain regarding the genuinity of the allegations and thereafter pass necessary directions as he deems fit and proper.

With the aforesaid observations WPA 5759 of 2025 is disposed of.

Report submitted be kept with the record. A copy of the report be handed over to the learned advocate appearing for the petitioner.

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

(Tirthankar Ghosh, J.)