

28.04.2025
Court No. 35
Item No.7
Rakib

W.P.A. 6919 of 2025

Dipika Biswas.
VS
The State of West Bengal & Ors.

Mr. Arup Kundu.

... for the Petitioner.

Mr. Devesh Srivastava.

... for Respondent nos. 5&6.

Mr. Suman Sengupta, Sr. Govt. Adv.,

Mr. Sanatan Panja.

...for State.

Petitioner informed the New Town Police Station by a communication dated 30.04.2024. The said information was received on 04.05.2024. There are several accusations over their including assault, outraging of modesty and also issues of day to day problems faced by the present petitioner.

State has submitted a report. The report do not deal with the issue of assault and outrage of modesty as the enquiry which was done was on 2nd of August, 2024 and it has been contended that when the petitioner was called for to supply the CCTV footage and the medical prescriptions, the petitioner could not produce any CCTV footage and produce a medical prescription of a homeopathic medical practitioner for a different set of treatment.

Having regard to the fact that the petitioner is facing problems and the concerned police station has only drawn up proceedings in the year 2023 under Section

107 of the Cr.P.C. on issues of dispute against respondent nos. 5 and 7, I am of the view that if the petitioner till date is facing inconveniences, petitioner will approach the jurisdictional Magistrate under Section 175(3) of BNSS. Learned Magistrate would assess regarding the nature of the accusations ascertain whether a case for investigation has been made out and thereafter pass necessary directions.

In the meantime, police authorities would ensure that there is no breach of the peace and/or tranquility and/or any untoward incident resulting because of the strained relationship existing between the petitioner and the private respondents.

With the aforesaid observations WPA 6919 of 2025 is disposed of.

Report so 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.)