

19.09.2025
Item No.13
Ct. No.35
dc.

W.P.A. 7008 of 2025

**Ila Das
versus
The State of West Bengal & Ors.**

Ms. Papiya Chattopadhyay ... For the Petitioner.

Mr. Wasim Ahmed,
Md. Sehabuddin ... For the State.

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

Report prepared by the Officer-in-Charge, Burwan Police Station, Murshidabad Police District reflects that the petitioner was asked regarding the allegation of violation of modesty as has been stated in the petition. Independent witnesses were examined by the police authorities. A list of individual names are appearing in the report. According to the police authorities, the witnesses stated that a quarrel took place on 14.03.2025 around 16.00 hrs. between the petitioner, her husband and her son on one side and the private respondents on the other side. So far as the issue relating to hot altercation and quarrel is concerned, the same has been corroborated to have taken place, but so far as the issue relating to outraging of modesty is concerned, that has not been found to be correct on enquiry by the police authorities. However, the police authorities have already drawn up proceedings under Section 126 of BNSS.

Having considered that disputed question of facts are involved so far as the accusation made in the representation made to the police authorities and the enquiry so conducted by the police authorities, I am of the view that the petitioner be well advised to approach the jurisdictional Magistrate under the relevant provisions of law. Learned Magistrate would assess and ascertain regarding the genuinity of the allegation and thereafter pass necessary directions as he deems fit and proper.

Police authorities are directed to continue their surveillance and ensure that no further untoward incident takes place.

With the aforesaid observations, the writ petition being WPA 7008 of 2025 is disposed of.

A copy of the report be handed over to the learned advocate appearing for the petitioner.

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.)