

23.04.2025
Court No. 35
Item No.107
Rakib

W.P.A. 7751 of 2025

Smt. Srabani Adak.
VS
The State of West Bengal & Ors.

Mr. Amitabha Ghosh,
Ms. Nabanita Chatterjee,
Ms. Arpita Dhar.

... for the Petitioner.

Ms. Chittapriya Ghosh,
Mr. Somesh Ghosh.

...for respondent no. 4

Mr. Ratul Biswas.

...for respondent nos. 5 to 8.

Mr. Dipayan Datta, Sr. Govt. Adv.,
Ms. Sukanya Datta.

...for State.

Affidavit-of-service filed by the petitioner be kept
with the record.

Petitioner is aggrieved by the fact that the
information furnished on or about 01.03.2025 to the
Officer-in-Charge of Chanditala Police Station was not
acted upon by the concerned police authorities.

Mr. Datta, learned advocate appearing for the
State has submitted a report. Report reflects that
Chanditala PS case no. 178/2025 was registered for
investigation under the relevant provisions of law and on
conclusion of investigation charge-sheet has been
submitted before the jurisdictional Court.

Learned advocate appearing for the respondent
nos. 5 to 8 submits that the petitioner and her family
members are a threat to the locality. It is also alleged that

petitioner has been creating disturbance and interfering with the life and liberty of the private respondents.

Learned advocate for the respondent no.4 submits that unnecessarily he has been implicated as a party to the litigation without any involvement or participation in respect of the accusations.

Be that as it may, since the police authorities have already submitted charge-sheet and the investigation has come to a conclusion. Consequently, if the petitioner is aggrieved with the outcome, mode and manner of investigation, petitioner would be at liberty to approach the jurisdictional Magistrate already in seisin of the case by way of preferring an application under Section 193(9) of the BNSS. Learned Magistrate would apply his discretion whether such application is maintainable and dispose of the same within a period of 60 days of filing of such application if any.

With the aforesaid observations WPA 7751 of 2025 is disposed of.

Report so submitted by the State be kept with the record.

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

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.)