

D/L 25
29.04.2025
Bpg.
ct.no.35

W.P.A.8068 of 2025

**Basanti Manna
Versus
The State of West Bengal & Ors.**

Mr. Pritam Chowdhury
Mr. Sourav Mondal.
...for the petitioner.

Mr. K.J. Yusuf
Mr. Parikshit Goswami.
...for the State-respondents.

Mr. Moyukh Mukherjee
Mr. Bhaskar Mandal
Mr. Samrat Mandal
Mr. Koustav Bhattacharya.
...for the private respondent nos.7 to 12.

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

Petitioner complains that she was assaulted
by the private respondents and thrown away.
Subsequently, she was rescued by two of her
relations. It has been further alleged that there is
dispute between the petitioner and the private
respondents but the issue relating to physical assault
are aggravating day by day which is at the behest of
the private respondents.

State has submitted a report. Report reflects
that earlier Bishnupur Police Station Case No.1162 of
2024 dated 27.11.2024 was registered on the
complaint of the petitioner. Subsequently,

proceedings have been drawn under Section 126 of the BNSS. Last of such proceedings are dated 22.03.2024. Report also reflects that T.S. No.1274 of 2024 is pending before the jurisdictional civil court.

Learned advocate for the private respondent nos. 7 to 12 submits that a long standing dispute is existing between the petitioner and the private respondent nos.7 to 12 and the civil court is already in seisin of the issue in order to create circumstances the present information has been furnished.

I have considered the report of the police authorities also who after enquiry came to the conclusion that the accusations made by the petitioner are unfounded and baseless.

Having regard to the same, petitioner is granted liberty to approach the jurisdictional Magistrate under the relevant provisions of law. Learned Magistrate would assess as to whether any cognizable or non-cognizable offence is made out and thereafter pass necessary directions by exercising his discretion. Since the police authorities have drawn up proceedings under Section 126 of the BNSS, they would continue their surveillance and ensure that no untoward incident results because of the strained relationship between the parties.

With the aforesaid observations, WPA 8068 of 2025 is disposed of.

There will be no order as to costs.

Report so submitted be kept with the record.

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

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

Urgent photostat certified copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Tirthankar Ghosh, J.)