

01.05.2025
Item No.225
Ct. No.35
dc.

W.P.A. 8315 of 2025

Jasmeet Singh
versus
The State of West Bengal & Ors.

Mr. Pawan Kumar Gupta,
Mr. Shareq Siddiqui,
Ms. Sofia Nesar,
Mr. Shahnawaz Alam ... For the Petitioner.

Mr. Sirsanya Bandopadhyay, Sr. Standing Counsel,
Mr. Akash Dutta ... For the State.

Affidavit-of-service filed in Court today be kept with the record.

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

The petitioner is aggrieved by the fact that in spite of information being registered with Tangra Police Station, Kolkata, the concerned police station drew up a Zero FIR dated 07.03.2025 under Sections 85/89/123/3(5)/316(2) of BNS read with Section 4 of Dowry Prohibition Act.

Learned advocate appearing for the petitioner has drawn the attention of the Court to the judgement of the Hon'ble Supreme Court in ***Rupali Devi Vs. State of Uttar Pradesh & Ors.*** reported in ***[2019] 6 S.C.R. 577*** wherein it was categorically observed in paragraph 16 as follows :

“16. We, therefore, hold that the courts at the place where the wife takes shelter after leaving or driven away from the matrimonial home on account of acts of cruelty committed by the husband or his relatives, would, dependent on the factual situation,

also have jurisdiction to entertain a complaint alleging commission of offences under Section 498A of the Indian Penal Code.”

Having regard to the steps already taken by the police station, at this stage the High Court is handicapped as Tangra Police Station on 13.03.2025 has already sent the Zero FIR to the jurisdictional police station being Kambo Police Station, Amritsar, Punjab. More than one and a half months have passed since then. Without having any information as to the case in Punjab, whether registered or not, it would not be possible for this Court to adjudicate on the issues complained of by the petitioner. Although the conduct of the police authorities cannot be approved, but having regard to the consequential acts, this Court is not in a position to interfere with the steps taken.

With the aforesaid observations, the writ petition being WPA 8315 of 2025 is disposed of.

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.)