

**02.05.2025**  
Court No. 35  
Item No.98  
Rakib

**W.P.A. 8353 of 2025**

**Sulekha Sarkar.**  
**VS**  
**The State of West Bengal & Ors.**

Mr. Saprashi Chattopadhyay,  
Mr. Sagnik Bhattacharyya.  
... for the Petitioner.  
Mr. Dr. Siddhartha Goswami,  
Ms. Upasana Shaw.  
...for respondent no.5  
Mr. Dipanjan Datta, Sr. Govt. Adv.,  
Mr. Sayan Datta  
...for State.

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

Petitioner is aggrieved by the fact that the representation which was made to the Inspector-in-Charge, Chakdah Police Station was not responded, although, prima facie offences were committed at the behest of the private respondents. Prayers of the petitioner reflect that she has prayed for registration of FIR and for restoration of possession.

State has submitted a report. Report reflects that police authorities on enquiry found that on trivial issue there are disputes between the petitioner and the private respondents. The parties happen to be husband and wife. Accordingly, police authorities have drawn up proceedings under Section 126/135(3) of the BNSS.

Learned advocate for the respondent no.5 is present, the accusations made by the petitioner are

disputed and denied by her and it has also been submitted that there are distortion in the factual foundation as submitted before this Court.

Be that as it may, I am of the view that since the petitioner has prayed for registration of FIR, petitioner would approach the Jurisdictional Magistrate under the relevant provisions of law. Learned Magistrate would assess whether any cognizable offence is made out. Ascertain whether a case for investigation has been made out and thereafter would exercise its discretion in passing necessary orders.

Police authorities have been keeping a strict vigil, they would continue their surveillance so that no further untoward incident results because of the strained relationship between the parties.

With the aforesaid observations WPA 8353 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 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.)**