

06.05.2025
Court No. 35
Item No.7
Rakib

W.P.A. 8565 of 2025

Anhara Molla.
VS
The State of West Bengal & Ors.

Mr. Jyoti Prakash Chatterjee.
... for the Petitioner.
Mr. Suman Sengupta, Sr. Govt. Adv,
Mr. Sambuddha Dutta,
Mr. Sanatan Panja.
...for State.

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

Petitioner is aggrieved by the fact that she is
confined, subjected to abuse and threatened for
withdrawing the cases pending against the private
respondents and the same is at the behest of the private
respondents or their associates. Informations has been
furnished to Monteswar Police Station, however no steps
were taken, presently the circumstances are such that
petitioner is unable to stay at her residence.

State has submitted a report. Report reflects that
Monteswar Police Station case no. 548/2024 dated
21.11.2024 has been registered for investigation and
subsequently charge-sheet has also been submitted.
Police authorities have also drawn up proceedings
separately under Section 323 of the IPC and also under
Section 126/135(3) of the BNSS.

I have considered the report. However, the present
grievance of the petitioner for approaching this Court is

not in relation to the merits of the criminal cases. The same is in relation to the threats and abuse which she had been facing because of the criminal cases pending before the Courts.

In view of the Court of the learned ACJM, Kalna or a Jurisdictional Magistrate being in siesin of the cases being Monteswar PS Case no. 548/24, I direct that in case the petitioner approaches the concerned Court for protection, the concerned Court will call for a Threat Perception Report from the police authorities and on an assessment of the same will consider the issue relating to protection as has been incorporated under the Witness Protection Scheme, 2018 (Mahender Chawla & Anr. –Vs. – Union of India & Ors, reported in (2019) 14 SCC 615). If such an application is filed within a week from date, learned Magistrate would dispose of such application.

In the meantime police authorities would ensure that no further untoward incidents results because of the strained relationship already existing between the parties.

With the aforesaid observations WPA 8565 of 2025 is disposed of.

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

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.)