

12.02.2025
Item No.25
Ct. No.35
dc.

W.P.A. 9558 of 2024

**Umme Habiba Parmin
versus
The State of West Bengal & Ors.**

Mr. Pintu Karar,
Mr. Sourav Roy ... For the Petitioner.

Mr. Suman Ghosh,
Mr. Siddhartha Ghosh ... For the State.

Mr. Ramij Munsi,
Ms. Muskan Agarwal ... For the Respondent No.7.

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

State has produced the case diary. I have
considered the case diary. The main grievance of
the petitioner is that in spite of informing the police
station with regard to the amount of dowry of
Rs.2,00,000/-, 150 grams of gold ornaments along
with one gold chain and three rings measuring 25
grams were given to the accused along with a
motorcycle which was chosen by the accused, the
same were not recovered in course of investigation
of Pandua Police Station Case No. 180 of 2024
dated 05.04.2024.

The report of the police authorities reflects
that investigation has been concluded and charge-
sheet has been submitted before the jurisdictional
court. However, in course of investigation, there
were lack of supporting documents, the police in
spite of raiding the house could not seize the

articles concerned as is contended by the investigating officer of the case.

Having regard to the anxiety expressed by the petitioner as also the fact that there is hardly any recoveries in respect of the accusations made with regard to the dowry which was given at the time of marriage, I am of the view that if the petitioner is aggrieved and as the charge-sheet has been submitted, the petitioner would take out appropriate application under Section 173(8) of the Code of Criminal Procedure before the jurisdictional court. The learned Magistrate will consider the same in its proper perspective and pass necessary orders preferably within a period of 45 days from the date of filing of such application.

With the aforesaid observations, the writ petition being WPA 9558 of 2024 is disposed of.

There will be no order as to costs.

Case diary be returned to the learned advocate appearing for the State.

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.)