

D/L 26
12.02.2025
Bpg.
ct.no.35

W.P.A.9567 of 2024

Priyanka Dey (Ghosh)
Versus
The State of West Bengal & Ors.

Mr. Jahar Lal Dey
Mr. Kapil Guha.
...for the State-respondents.

Mr. Subir Banerjee
Mr. Anupam Ghosh.
...for the respondent nos.4 & 5.

Petitioner is aggrieved by the fact that there has been no recovery of stridhan articles in connection with English Bazar Women Police Station Case No.79 of 2014 dated 02.12.2014 which was registered for investigation under Sections 498A/307/506/34 of the Indian Penal Code read with Sections 3/4 of the Dowry Prohibition Act.

State has submitted a report. Report reflects that the Investigating Agency on conclusion of investigation submitted charge-sheet in the year 2015.

The present representation was filed with the Inspector-in-Charge of English Bazar Women Police Station dated 15.02.2024. Earlier application was made to the Protection Officer under the relevant provisions of the PWDV Act, 2005.

Having considered that the petitioner intends to set again the law in motion after 10 years in respect of a marital dispute and discord, I am of the view that the same cannot be interfered with as the stage of the criminal case has not been narrated.

If the petitioner is so aggrieved, petitioner would be at liberty to approach the jurisdictional Magistrate who is either in seisin of English Bazar Women Police Station Case No.79 of 2014 by way of invoking the relevant provisions of law or would take out an appropriate application independent of the facts before the jurisdictional court having domain over English Bazar Women Police Station. The belated representation made by the petitioner cannot be taken into consideration by the police authorities.

Learned advocate for the respondent nos.4 and 5 is present and supports the contentions advanced on behalf of the State.

With the aforesaid observations, WPA 9567 of 2024 is disposed of.

There will be no order as to costs.

Report submitted by the State be kept with the record.

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.)