

D/L34
07.05.2025
Rohit
ct.no.35

WPA 9322 of 2025

**Netai Chandra Pal
Versus
The State of West Bengal & Ors.**

Ms. Ipsita Ghosh

...for the Petitioner

Mr. Dipanjan Datta, Sr. Gov. Adv
Mr. Sayan Datta

... for the State

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

Petitioner complains that he has been detained by the respondent no. 5 who happens to be the daughter-in-law and is unable to enjoy his life at the behest of the private respondent.

State has submitted a report. Report reflects that the daughter-in-law lodged a complaint being Udaynarayanpur Police Station Case No. 11/23 under Section 498A and other Sections of the IPC as also Dowry Prohibition Act. On the other hand petitioner also lodged a complaint being Udaynarayanpur Police Station Case No. 37/23 dated 21.04.2023. Charge-sheet has been submitted in both the cases. Another case being Udaynarayanpur Police Station Case

No. 2/25 has been filed against the petitioner, his wife and son. There are disputes relating to property and a family feud is continuing for a considerable period of time. Police authorities have already drawn up proceedings under Section 126 of BNSS against the private respondent and the petitioner has also filed an application before the learned Executive Magistrate.

Having regard to the nature of the dispute which is a family feud and there is also an existing long pending land dispute, I am of the view that the police authorities at this stage has hardly any role to play. However, if the petitioner is aggrieved, petitioner would apply before the jurisdictional Magistrate who is in seisin of the criminal cases. The learned Magistrate would consider the backgrounds of the facts, the accusations made by the petitioner and thereafter pass necessary directions in accordance with law.

With the aforesaid observations WPA No. 9322 of 2025 stands disposed of.

Report so submitted be kept with the record.

A copy of the report be handed over to the learned Advocate appearing for the petitioner.

All parties shall act on the Server Copy of this order duly downloaded from the Official Website of this Court.

(Tirthankar Ghosh, J.)