

22.07.2025
Court No. 35
M/L. No.822
Rakib

W.P.A. 11053 of 2024

Smt. Smriti Acharya.
VS
The State of West Bengal & Ors.

Mr. Sekhar Pal
Mr. Mobakshar Islam
...for the Petitioner.
Ms. Jhuma Chakraborty, Sr. Govt. Adv,
Mr. Suddhadeb Adak
...for the State.
Mr. Kallol Kr. Basu
Ms. Jannat Ul Firdous
...for respondent nos. 4 & 5.

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

Petitioner has approached this Court as she has
been aggrieved by the action of the police authorities,
particularly with the regard to the fact that in spite of
Madhyamgram Police Station case no. 40/24 dated
21.01.2024 being registered for investigation but the
Sections under which the case was registered was in
respect of diluted sections which pave the way for bail
and other remedies being available under the law to the
accused persons.

Learned advocate for the private respondent nos. 4
and 5 on instructions submits that there has been
complete change of circumstances and the trial of the
Case is in progress.

Learned advocate for the State has submitted a
report. Report reflects that Madhyamgram Police Station

case no. 40/24 dated 21.01.2024, on conclusion of investigation resulted in submission of charge-sheet before the jurisdictional Court. Report also reflects that charge-sheet was submitted under Sections 448/323/325/506/34 of the Indian Penal Code.

Since, a charge-sheet has been submitted before the jurisdictional Court, petitioner has statutory remedies for canvassing the grievances. As such no interference is called for by this Court at this stage of the case. As such, the petitioner would be at liberty to approach the learned Magistrate under the relevant provisions of law.

With the aforesaid observations WPA 11053 of 2025 is disposed of.

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

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.)