

M/L 19
24.06.2025
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ct.no.35

W.P.A.10327 of 2025

**Pratima Pramanik
Versus
The State of West Bengal & Ors.**

Mr. Sukanta Chakrabarty
Mr. Subrata Mukherjee.
...for the petitioner.

Mr. Swapan Kr. Dutta
Mr. Rajat Dutta.
...for the State-respondents.

Ms. Paromita Jati
Mr. S. Banerjee.
...for the respondent nos.7 to 16.

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

Learned advocate appearing for the petitioner
is aggrieved by the fact that the representation dated
03.12.2024 was not considered by the police
authorities. Petitioner alleges that the mobile phone of
the petitioner was taken away and till date the same
has not been returned. There are accusations of
affixing padlock over an existing padlock by the
private respondents. As a consequence of which
dispute arose, petitioner was abused and her modesty
was outraged.

Learned advocate for the State has submitted a report. Report reflects that Nowda P.S. Case No.244 of 2024 dated 10.09.2024 was registered for investigation against Minarul Sk and five others. Consequently, on conclusion of investigation charge-sheet has been submitted before the jurisdictional court. It has also been referred in the report so submitted that a civil case being P.S. Case No.503 of 2024 is pending before the learned Civil Judge (Senior Division), 1st Court, Berhampore, Murshidabad.

Learned advocate for the private respondents submits that on the basis of frivolous allegations a criminal case has been foisted against them in spite of they being innocent of charges.

In view of the submission of the learned advocate appearing for the petitioner that the mobile phone which was taken by the police authorities till date has not been returned, I grant liberty to the petitioner to approach the jurisdictional Magistrate in seisin of the criminal case by taking out an appropriate application. Learned Magistrate will consider the contentions of the application and dispose of the same in accordance with law. Since the civil court is already in seisin of the issue and a criminal case has already been registered of the incident which occurred, I direct that the police

authorities would keep a strict vigil and ensure that no untoward incident results because of the strained relationship between the parties.

With the aforesaid observations, WPA 10327 of 2025 is disposed of.

There will be no order as to costs.

Report so submitted be kept with the record.

Copy of the report be handed over to both the parties.

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.)