

24.06.2025
Item No.29
Ct. No.35
dc.

W.P.A. 10552 of 2025

**Tania Chakraborty
versus
The State of West Bengal & Ors.**

Mr. Souri Ghosal,
Mr. Prasayan Mukherjee ... For the Petitioner.

Mr. Rajarshi Basu,
Mr. Subhendu Sengupta ... For the State.

Ms. Juin Dutta Chakraborty,
Mr. Bidan Modak,
Ms. Arpita Kundu ... For the Respondent No.6.

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

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

Learned advocate appearing for the petitioner submits that so far as the incident complained of on 24.04.2025, a case has already been registered being Uluberia P.S. Case No. 178 of 2025 dated 25.04.2025 under the relevant provisions of BNS.

The grievance of the petitioner presently is that an information was furnished with the police authorities in respect of a subsequent incident dated 28.04.2025. Additionally, it has been submitted because of the overt acts of the private respondents, the petitioner is unable to stay at the residence.

Learned advocate appearing for the private respondent no.6, on the other hand, submits that there is a long standing land dispute existing

between the petitioner and the private respondents which led to a major dispute and difference and the private respondents have been foisted with criminal case.

State has submitted a report which reflects that so far as the incident of 24.04.2025 is concerned, case has already been registered. However, so far as the subsequent incident of 28.04.2025 is concerned, a complaint was received by the police station, but the police authorities have expressed ambiguity regarding occurrence of such incident.

In view of the aforesaid, so far as the incident relating to 28.04.2025 is concerned, the petitioner would be at liberty to approach the jurisdictional Magistrate under Section 175(3) of BNSS.

In case the petitioner being the complainant feels insecure, petitioner would apply before the jurisdictional Magistrate who is in seisin of Uluberia P.S. Case No. 178 of 2025. The learned Magistrate will call for a threat perception report from the police authorities and thereafter, if the Magistrate deems it fit and proper, pass necessary directions for protection of the petitioner who happens to be a vital/injured witness of Uluberia P.S. Case No. 178 of 2025.

With the aforesaid observations, the writ petition being WPA 10552 of 2025 is disposed of.

There will be no order as to costs.

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.)