

30.04.2025
Court No. 35
Item No.3
Rakib

W.P.A. 11249 of 2023

Ranjita Khan Roy.
VS
The State of West Bengal & Ors.

Mr. Dinesh Pani.

... for the Petitioner.

Mr. Gopal Chandra Ghosh, Sr. Adv,

Mr. Sobhan Majumder,

Mr. Rajkrishna Mondal,.

...for the respondent nos.4, 5&7.

Mr. Tarak Karan.

... for the State.

Petitioner submitted a complaint with the police authorities dated 15.02.2023 which was addressed to Officer-in-Charge, Durgachak Police Station.

A report was submitted earlier which reflects a family feud is existing between the siblings of the petitioner. To that effect Durgachak PS Case no. 114/21, Durgachak PS Case no. 130/21, Durgachak PS Case no. 06/22 and Durgachak PS Case no. 154/23 have been registered for investigation. There are previous proceedings drawn up under Sections 107/116(3) of Cr.P.C. the same was in respect of informations received on or about 31.03.2023 and 01.07.2023. The report reflects an enquiry was conducted by the police authorities in respect of the accusations made and so far as the criminal offences which have been alleged regarding physical and mental torture the same could not be established on enquiry.

Petitioner is aggrieved by the report so submitted, accordingly petitioner would be at liberty to approach the

learned Magistrate with the foundation of the accusations made on 25.02.2023. Learned Magistrate would conduct an enquiry and thereafter decide whether any order under Section 175(3) or under Section 223 of the BNSS are required to be passed. Learned Magistrate after conducting the enquiry will record his subjective satisfaction, thereafter exercise its discretion whether to pass necessary directions under the aforesaid sections.

With the aforesaid observations WPA 11249 of 2023 is disposed of.

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.)