

D/L 5
25.06.2025
Bpg.
ct.no.35

W.P.A.11688 of 2025

**Mis. Smriti Das
Versus
The State of West Bengal & Ors.**

Mr. Amit Halder
Mr. Rajendra Kr. Nandi
Mr. Amit Roy.
...for the petitioner.

Mr. Wasim Ahmed
Mr. Syed Nazmul Hossain.
...for the State-respondents.

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

Learned advocate appearing for the petitioner
submits that the private respondent nos.5 to 10 have
been throwing sewage water, abusing the petitioner,
threatening her and also insulting her modesty and
the same is with the sole purpose of throwing her
away from the residence. The grievance of the
petitioner is that in spite of informing the police
authorities, no steps have been taken.

State has submitted a report. Report reflects
that earlier Dum Dum P.S. Case No.951 of 2014
dated 06.11.2024 was registered for investigation at
the behest of the petitioner; Dum Dum P.S. Case

No.335 of 2021 dated 12.03.2021 was registered for investigation at the behest of the petitioner. There are other proceedings under Section 144 (2) of Cr.P.C. as well as under Section 107 of the Cr.P.C. On the other hand, respondent no.7 has also filed an application under Section 156(3) of the Code of Criminal Procedure against the petitioner. Consequently, Dum Dum P.S. Case No.1255 of 2021 dated 01.12.2021 was registered for investigation. Another application under Section 156(3) of the Cr.P.C. was preferred by the petitioner which resulted in registration of Dum Dum P.S. Case No.258 of 2022 dated 04.04.2022.

Having considered that the petitioner and the private respondents are at loggerhead since 2014, at this stage when the criminal cases are pending before the jurisdictional criminal courts it would not be fit and proper to interfere with the accusations which have been made by the petitioner particularly with regard to the representation made on 23rd April, 2025. Since the petitioner has earlier filed cases for registration of FIR by way of invoking the provisions of Section 156(3) of the Cr.P.C, petitioner would, in the present circumstances, also approach the jurisdictional Magistrate under Section 175(3) of the BNSS. Police authorities would keep their surveillance and ensure that no untoward incident results

because of the strained relationship existing between the petitioner and the private respondents.

With the aforesaid observations, WPA 11688 of 2025 is disposed of.

There will be no order as to costs.

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.

Urgent photostat certified copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Tirthankar Ghosh, J.)