

D/L 41
23.06.2025
Bpg.
ct.no.35

W.P.A.11689 of 2025

**XXXX & Another
Versus
The State of West Bengal & Ors.**

Mr. Soumitra Deb.
...for the petitioners.

Mr. Kishore Datta, Ld.A.G.
Mr. Swapan Banerjee
Mr. Diptendu Narayan Banerjee
Mr. Soumen Chatterjee.
...for the State-respondents.

Learned advocate appearing for the petitioners submits that the representation was made to the Officer-in-Charge, Khardah Police Station regarding the manner in which the petitioner no.1 and her college going daughter are being harassed by the respondent no.4. Additionally, it has been submitted that there were earlier informations furnished with the police authorities and the police authorities had taken steps but in spite of criminal cases pending against the private respondent no.4, he is adamant and is acting with an ill-design, both to socially malign the petitioners as also mentally and physically harassing them. Such informations were furnished on 20th November, 2024 with the Officer-in-

Charge, Khardah Police Station, but no steps have been taken.

State has submitted a report which reflects that Khardah Police Station Case No.440 of 2022, Khardah Police Station Case No.574 of 2022 and Khardah Police Station Case No.746 of 2022 were registered for investigation and on completion of investigation charge-sheet has already been submitted before the jurisdictional court and in each of the cases I find that the sections in the charge-sheet incorporate accusations relating to outraging of modesty of a woman.

Be that as it may, petitioners are granted liberty to approach the jurisdictional Magistrate already in seisin of the aforesaid three criminal cases. Learned Magistrate if he feels that a separate cause of action is created he will pass necessary directions but will ensure that the petitioners and her family members are protected under the Witnesses Protection Scheme, 2018. Police authorities are directed to keep a strict vigil and ensure that no untoward incident further results because of any alleged overt act of the respondent no.4.

With the aforesaid observations, WPA 11689 of 2025 is disposed of.

There will be no order as to costs.

Report so submitted be kept with the record.

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.)