

19.03.2025
Court No. 35
Item No.104
Rakib

W.P.A. 14845 of 2024

Aleya Bibi.
VS
The State of West Bengal & Ors.

Mr. Afrin Nahar Mondal.
... for the Petitioner.
Mr. Somnath Ganguly, Ld. AGP,
Mr. Ananda Dulal Sarkar
... for the State.

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

Petitioner is aggrieved by the fact that inspite of Debra police station case no. 265/2024 was registered for investigation on or about 03.05.2024 but no effective steps were taken by the police authorities which in fact allowed the private respondents to carry out with their illegal activities.

State has submitted a report. Report reflects that the accused persons surrendered before the learned Chief Judicial Magistrate, Paschim Medinipur on 20.05.2024 and they were granted bail and subsequently police authorities submitted charge-sheet before the Jurisdictional Court.

Grievance of the petitioner is that, although the FIR was registered under Section 307 of the Indian Penal Code but at the time of submission of the charge-sheet police authorities omitted to incorporate such section which facilitated the respondents' liberty.

Be that as it may, since the charge-sheet has been submitted before the Jurisdictional Court the petitioner would demonstrate her grievance by way of filing an application under Section 173(8) of the Code of Criminal Procedure before the Jurisdictional Court. So far as the other issues are concerned relating to property, police authorities would ensure that there is no violation of Civil Court's order (if any). Police authorities will ensure that there is breach of the peace and/or tranquility and any untoward incident resulting from the strained relationship existing between the petitioner and the private respondents.

With the aforesaid observations WPA 14845 of 2024 is disposed of.

Report so submitted by the State be kept with the record.

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.)