

09.09.2025
Item No.12
Ct. No.26
CHC
(disposed of)

M.A.T. 1105 of 2025
IA NO: CAN/1/2025
CAN/2/2025

Nadera Begum
Vs.
State of West Bengal & Ors.

Mr. Mrityunjoy Chatterjee, Advocate
...for the appellant

Mr. Suman Ghosh, Advocate
Mr. Siddhartha Ghosh, Advocate
...for the State respondents

1. Appeal is at the behest of the writ petitioner and directed against the order dated April 17, 2025 passed in W.P.A. 7304 of 2025.
2. By the impugned order, learned Single Judge noticed that, there are atleast 18 criminal cases pending between the private parties. In such circumstances, Learned Single Judge did not find any necessity to exercise any discretion under Article 226 of the Constitution of India.
3. Learned advocate appearing for the appellant submits that, there was an incident of assault on January 26, 2025 where upon, the son of the appellant was assaulted resulting in a fracture. He submits that, although, police registered the first complaint as the First Information Report, the assault which took place on January 26, 2025, subsequent to the appellant returning to her residence and being assaulted all over again was not treated as First Information Report.

4. Learned advocate appearing for the State submits a report which be taken on record. He submits that, the second police complaint spoken of by the appellant was enquired into and that, the police did not find any material to register the complaint as First Information Report.
5. The second complaint which is alluded to by the appellant discloses commission of cognizable offence. There is a history of assault between the private parties.
6. In such circumstances, it would be appropriate to direct the police to register the second complaint as First Information Report and conduct an investigation without being influenced by any of the observations made in this order.
7. M.A.T. 1105 of 2025 alongwith connected applications are **disposed of** without any order as to costs.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)