

December 5, 2025
(25) ARDR

WPA 24238 of 2025

Sumitra Das
Vs.
The State of West Bengal & ors.

Adv. Sekhar Pal,
Adv. Krishna Prasad Majumdar,
... for the petitioner.
Adv. Vimal Kr. Shahi,
Adv. Pushpa Chakraborty,
...for the State.

Affidavit of service filed by the petitioner and the report submitted by the State are taken on record.

Learned counsel for the petitioner submits that the 5th respondent is her daughter and the 6th respondent her son in law. The petitioner alleges that the petitioner has been driven out of her home by the 5th and 6th respondents in connivance with the police. FIR was registered pursuant to an application filed by the petitioner under Section 156(3) of the Code of Criminal Procedure. But the police is not conducting investigation properly.

Learned counsel for the State submits that the 5th respondent has filed two Title Suits against the petitioner in respect of the property in question which are pending. Charge sheet has been submitted in the criminal proceeding upon completion of investigation.

In view of the above, this Court is inclined to hold that since charge sheet has been submitted before the learned Magistrate, the petitioner is at liberty to take necessary steps before the learned Magistrate in accordance with law in the event she is aggrieved by the

charge sheet or the mode and manner of investigation. Learned civil forum shall deal with the civil suits filed by and between the parties.

In the meantime, the police authority is directed to keep strict vigil over the area in order to avoid any untoward incident and to maintain law and order. The police authority shall render all necessary assistance to the petitioner as and when required.

Since nothing further remains to be adjudicated in the present application, the same is accordingly disposed of.

There shall however, be no order as to costs.

Since no affidavit is invited, the allegations contained in the petition are deemed not to have been admitted.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)