

27.03.2025

Item No.45

Ct. No.35

dc.

W.P.A. 25589 of 2024

**Arjuman Khatun & Anr.
versus
The State of West Bengal & Ors.**

Mr. Alokesh Dalai,
Mr. Supratick Shyamal,
Ms. Sawant Chanda ... For the Petitioners.

Mr. Somnath Ganguly, AGP,
Ms. Tuli Sinha ... For the State.

Mr. Moyukh Mukherjee,
Ms. Sagnika Banerjee,
Mr. Samrat Mondal ... For the Respondent No.4.

Both the writ petitions being WPA 25589 of 2024 and WPA 24745 of 2024 be detagged.

The writ petition being WPA 25589 of 2024 was preferred as the police authorities were reluctant to act on the complaint of the petitioners, but during the pendency of the writ petition, it was reported that an application under Section 156(3) of the Code of Criminal Procedure was preferred or pending before the learned CJM, Barasat. A report was called for in the month of November, 2024 and subsequently order was passed by the learned CJM, Barasat for registration of the FIR.

Since the prayer before this Court in the writ petition was also for taking necessary steps in respect of the complaint which was filed before the concerned police station, I am of the view that some patience was expected. However, once offence is detected, court will not be in a position to address

on the issues in respect of registration of the FIR as the same is a mere irregularity and misadvice of the counsel appearing on behalf of the petitioners.

Mr. Mukherjee, learned advocate appearing for the respondent no.4 herein submits that respondent no.4 has already applied for anticipatory bail before the jurisdictional sessions court.

Since the case is being investigated and the parties are presently pursuing their remedy under the law, at this stage no interference is called for. The investigating authorities would work out on the materials collected by them and arrive at their independent finding without being influenced by any observations made by this Court.

With the aforesaid observations, the writ petition being WPA 25589 of 2024 is disposed of.

There will be no order as to costs.

Case diary has been produced by the learned advocate appearing for the State. The same be returned to the learned for the State.

Report so submitted by the learned advocate appearing for 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.)