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jdt. 12.11.2025
jb.

WPA 25445 of 2025

(Saba Sappi Gazi vs. State of West Bengal & Ors.)

Mr. Narattam Acharyya
Mr. Prasenjit Jana
.... For the Petitioner
Mr. Suman Sengupta
Ms. Amrita Panja Moulick
.... For the State
Mr. Abhisekh Halder
Omar Faruq Gazi
Mr. Rajdatta Chattopadhyay
Ms. Antara Dey
.... For the Intervenor

Affidavit of service filed on behalf of the petitioner
is taken on record.

The petitioner is a major aged about 21 years and
has voluntarily left her home in North 24 Parganas. The
petitioner submits that after her marriage her husband
and members of her matrimonial family inflicted
inhuman torture upon her and even her parents insisted
on her return to her matrimonial home. She left her
parental home voluntarily and has been staying in
Kolkata to save herself from the coercion of her parents
and torture of her matrimonial family. She has not been
kidnapped or abducted as alleged by her father in the
complaint lodged before Basirhat police station.

The case being no. 1031/25 dated 30th October,
2025 is pending before the learned Magistrate at
Basirhat. The petitioner apprehends that her life and
liberty shall be at stake in the event of her return to
Basirhat.

Learned counsel for the State submits that the statement of the petitioner under Section 183 of the BNSS is required to be recorded in connection with the complaint and the petitioner ought to appear before the relevant Magistrate for recording of the same.

I have considered the submission made on behalf of the parties.

Since the petitioner apprehends breach of her liberty and threat to her life if she returns to Basirhat, she is permitted to give her statement under Section 183 of the BNSS before any learned Judicial Magistrate at Alipore Court. Learned counsel for the State shall take necessary steps to arrange for recording her statement before the learned Magistrate at Alipore. The petitioner shall appear before the learned Magistrate on the date and time fixed by the learned Magistrate. Necessary police protection shall be rendered to the petitioner so that she is able to give her statement and return to her place of residence safely. The police authority is directed to render adequate protection to the petitioner as and when requested by her.

With the aforesaid observations and directions the writ petition is disposed of.

There shall be no order as to costs.

Since no affidavit has been invited, allegations contained in the writ petition shall be deemed not to have been admitted.

Urgent certified website copy of the order, if applied for, be given to the parties on compliance of requisite formalities.

(Suvra Ghosh, J.)