

Sl.No. 11.02.2025
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Court
No. 35
G.S.Das

WPA 26535 of 2023

Smt. Ishita Roy
-Vs-
The State of West Bengal & Ors.

Mr. Sayan De
Mr. Sayan Kanjilal
... for the petitioner(s)
Ms. Sulangna Bhattacharya
... for the State-respondent(s)

A fresh report has been submitted before this Court which incorporates the steps taken by the police authorities in connection with Rahara Police Station Case No. 353 of 2022 and the present stage of the case.

Surprisingly, the conduct of the respondent no.4 is that earlier in WPA 26098 of 2022 when the writ petition was taken up by a Co-ordinate Bench, it was categorically represented before the Court as follows:

“The petitioners are willing to return all lawful stridhan articles being claimed by the petitioner’s wife at the Police Station itself. In those

circumstances, the petitioners may do so by visiting the Rahara Police Station on 28th November, 2022 at 6.00 P.M.

The police shall produce a list of such stridhan articles duly signed by the complainant in FIR being Rahara Police Station Case No. 353 of 2022 dated 19th September, 2022.”

Subsequently, the police report dated 10.12.2023 reflects that the jewelleries and other *stridhan* articles, particularly, the amount of money were never returned to the petitioner. However, the police also did not take any steps in this regard. Finally, the outcome is that the representation which was made before the High Court regarding the return of *stridhan* articles, particularly, the jewelleries and the amount of cash which were taken by way of loan and, from time to time, taken from the father-in-law were not returned by the respondent no.4 and/or his other family members. The police authorities also did not inform the same

to the learned Magistrate *in seisin* of the matter.

In view of the aforesaid, I grant liberty to the petitioner, namely, Ishita Roy/the defacto-complainant of Rahara P.S. Case No. 353 of 2022, to take out an appropriate application for 'Cancellation of Bail'. If such an application is filed, the learned Magistrate would assess regarding the conduct of the respondent no.4 and decide the fate of the application for 'Cancellation of Bail' in accordance with law.

With the aforesaid observations, WPA 26535 of 2023 is disposed of.

Pending application(s), if any, is also disposed of.

Two reports submitted before this Court by the concerned Officer-in-charge of Rahara Police Station be kept with the record. Copies of the two reports be handed over to the learned advocate for

the petitioner.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

(Tirthankar Ghosh, J.)