

Form No. J.(2)
Item No. 62
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**IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri
Constitutional Writ Jurisdiction
Appellate Side**

Present:
The Hon'ble Justice Aniruddha Roy

WPA 1869 OF 2025

Habijan Bibi

Vs.

The State of West Bengal & Ors.

For the petitioner	:	Ms. Suman Sehanabis, Adv. Mr. Salok Sah, Adv. Ms. Anwesha Chakraborty, Adv.
For the State	:	Ms. Bedashruti Bose, Adv. Ms. Pratusha Dutta Chowdhury, Adv.
For the Respondent No.6	:	Mr. Hillol Saha Podder, Adv. Ms. Mousumi Das, Adv.
Heard on	:	September 11, 2025
Judgment on :	:	September 11, 2025

Aniruddha Roy, J. :

Affidavit-of-service, filed in Court today, is taken on record.

Alleging inaction on the part of the police authority the instant writ petition has been filed.

The present writ petitioner is the sister of the victim.

The private respondent no.6 is the accused.

The entire cause of action in this writ petition arose centering around a POCSO case in which the private respondent no.6 is the accused. The relevant criminal case arising out of **POCSO** is already pending before the jurisdictional criminal court. The accused has been **enlarged on bail** and certain conditions of bail have subsequently been **relaxed** as would be evident from **page 34** to the writ petition.

The petitioner alleges that, after relaxation of the conditions of bail, the accused has entered into the locality and has allegedly been committing subsequent offences including offence under **POCSO**. Repeated complaints have been lodged with the local police station by the petitioner but no step has been taken.

Ms. Mousumi Das, learned Advocate appearing for the private respondent no.6 submits that, this writ petition has been filed in suppression of facts.

Ms. Bedashruti Bose, learned State Advocate submits that, following the complaint lodged on behalf of the victim, the police authority has already initiated the non-prosecution case being **Dinhata Women Police Station G.D. Nos.490 and 492 dated June 23, 2025 under Section 126 BNSS**.

Considering the rival submissions of the parties and upon perusal of the materials on record this Court finds that, the police authority has been acting diligently and has taken steps. Therefore, there is no further

requirement to give any further direction upon the police authority ***at this stage.***

However, the police authority shall act in accordance with law and take all necessary and consequential steps as expeditiously as possible.

With the above observations and directions this writ petition, ***WPA 1869 of 2025*** stands disposed of, without any order as to costs.

Parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Aniruddha Roy, J.)