

20
25.02.2026
Ct. No.5
b.das

WPA 623 of 2026

Moumita Das
Vs.
The State of W. B. & Ors.

Mr. Nikhil Kr. Gupta
Ms. Laboni Bar ...for the petitioner.

Ms. Jhuma Chakraborty
Ms. Rupsa Chakraborty ...for the State.

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

Heard learned counsels for the parties.

Learned counsel for the petitioner submits that the petitioner was residing in her mother's house with her minor daughter and mother. After demise of her mother, the 7th respondent who is her brother entered the house with his wife and started residing therein. The said brother and his wife, along with their associates have been creating nuisance in the house regularly by consuming alcohol and other prohibited drugs and have been assaulting and torturing the petitioner severely for which the petitioner has been constrained to reside elsewhere for the last 9 months with her child.

The petitioner has lodged complaint in this regard before the jurisdictional PS. She seeks to reside with her child therein peacefully.

It appears from the report submitted by the State that pursuant to the complaint lodged by the petitioner on 20th June, 2025, FIR was registered and charge sheet submitted upon completion of investigation. The subsequent complaint lodged by the petitioner on 4th July, 2025 has also been registered and investigation is pending.

The police authority is directed to conduct the investigation in a fair and impartial manner and take necessary steps against the accused in accordance with law.

Since the petitioner intends to return to her house with her child and reside therein peacefully, she will approach the jurisdictional police and intimate the date and time of her intended return.

The police authority shall render necessary assistance to her so that she is able to return to the house and reside therein without any disturbance from any corner whatsoever.

The Inspector in Charge, Haridevpur PS, being the 5th respondent herein, shall depute a lady police personnel who shall visit the petitioner's house once every day for the next two weeks and ensure that no torture/assault is meted out upon the petitioner or her child at the instance of the private respondents.

The police authority shall keep strict vigil in the area in order to avoid any untoward incident and shall ensure maintenance of peace and tranquility. The police shall

render necessary assistance/protection to the petitioner as and when sought.

With the above observation and directions the writ petition is disposed of accordingly.

However, there shall be no order as to costs.

Since no affidavit is invited, the allegations contained in the writ 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.)