

D/L 25
08.04.2026
Rohit,A.R.(Ct.)
ct.no.5

**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE**

WPA 7291 of 2026

**Jayati Talukder
Versus
The State of West Bengal & Ors.**

Mr. Tanmoy Chakraborty
Mrs. Tanuka Basu
Mrs. Paramita Saha
Ms. Susmita Saha

...for the Petitioner

Mr. Tapas Kumar Adhikari
Mr. Subrata Dasgupta

...for the State

Mr. Kallol Kumar Basu
Md. Jannat Ul Firdous
Mr. Rajsekhar Hota

...for the Respondent Nos. 5 to 8

1. Affidavit-of-service filed on behalf of the petitioner is taken on record.
2. Matter is heard in presence of learned Advocates representing the petitioner, State respondents and respondent nos. 5 to 8.
3. It is submitted on behalf of the petitioner that an order was passed by the learned Judicial Magistrate, 1st Court, Barasat, North 24 Parganas in a proceeding drawn up under relevant provisions of Protection of Women from Domestic Violence Act, 2005 (hereinafter referred to as the said Act) thereby directing

that the petitioner to be allowed entry and residence in the shared household and respondents were restrained from restricting petitioner's access and residence in the shared household or alienating or encumbering her right in the shared household in any way.

4. It is submitted on behalf of the petitioner that in spite of such order being passed on 28th November, 2025 concerned police authorities are not taking steps for implementation of the same. In the same breath it is also contended that petitioner is staying at the premises where learned Judicial Magistrate directed that the petitioner be permitted to stay.
5. Learned Advocate representing the State respondents has filed a communication dated 8th April, 2026 of Inspector-in-Charge, Baguiati Police Station, Bidhannagar Police Commissionerate and same is taken on record. Copy of the said communication dated 8th April, 2026 is made over to the learned Advocates representing the petitioner and the private respondents.
6. Taking note of the submissions made on behalf of the parties and contents of the communication dated 8th April, 2026 it

appears that petitioner has approached this Court with the present writ petition primarily for implementation of the order of the learned Judicial Magistrate, 1st Court, Barasat, North 24 Parganas dated 28th November, 2025 passed in the proceedings under said Act of 2005. However, during course of submission it is also contended that petitioner is subjected to domestic violence at the instance of private respondents.

7. On perusal of the order dated 28th November, 2025 it also appears that the Judicial Magistrate, 1st Court, Barasat, North 24 Parganas prohibited respondents from committing any act of domestic violence and from causing any verbal, emotional or economic abuse to the aggrieved person.
8. As the petitioner is staying at the particular premises in terms of the order dated 28th November, 2025 concerned authorities of Baguiati Police Station are directed to take necessary steps which would prevent the private respondents from subjecting the petitioner to domestic violence. Liberty is also granted to the petitioner to approach the appropriate authority in terms of relevant

provisions of the said Act of 2005 for redressal.

9. With the aforesaid directions W.P.A 7291 of 2026 stands disposed of.

10. Urgent certified website copy of this order, if applied for, be given to the parties upon compliance with all requisite formalities.

(Saugata Bhattacharyya, J.)