

WPA 7104 of 2026

XXX

Vs.

The State of West Bengal & Ors.

Mr. Mayukh Mukherjee
Mr. Abhijit Singh
Mr. Sagnik Banerjee
Ms. Sarmistha Basak
...for the petitioner

Ms. Jhuma Chakraborty
Ms. Rupsha Chakraborty
...for the State

1. Affidavit of service filed on behalf of the petitioner is taken on record.
2. Matter is heard in presence of the learned advocates representing the petitioner and State respondents.
3. Petitioner is the victim lady who has come up in the present writ petition stating that a complaint was lodged on 23rd November, 2025 against two persons which led to registering of FIR under Sections 316(2)/318(4)/61(2)/69 of the Bharatiya Nyaya Sanhita, 2023.
4. It is submitted by Mr. Mayukh Mukherjee, learned Counsel representing the petitioner that though a criminal prosecution was initiated against the FIR named persons being Dum Dum Police Station Case No. 396/25 dated 10th December, 2025, but till date,

charge sheet has not been submitted on concluding the investigation. It is submitted that as per relevant provision, investigating agency is required to submit charge sheet within a specified time.

5. In addition thereto, it is also submitted that both the FIR named persons are threatening the petitioner when investigation is continuing which requires direction upon the concerned police authorities to provide protection to the petitioner. It is also contended that during course of investigation, though bank account of the FIR named son was debit-frozen, but father's bank account was not frozen.
6. State respondents are represented by Ms. Jhuma Chakraborty, learned advocate who appears on virtual mode and communication dated 27th March, 2026 of Officer-in-Charge, Dum Dum Police Station is placed before this Court and same is taken on record. Copy of said communication dated 27th March, 2026 is made over to the learned advocate representing the petitioner.
7. It is disclosed in the communication dated 27th March, 2026 that on receipt of complaint from the victim lady, a criminal prosecution was initiated being Dum Dum Police Station Case No. 396/25 dated 10th December, 2025 and

one of the FIR named persons was arrested on 16th January, 2026.

8. Prayer was made before the Magistrate for custody for a period of five days but that was rejected on 16th January, 2026, as a result thereof said arrested person was released. However, certain articles were seized from the arrested person which are delineated in the said communication. Subsequently, father surrendered before the Magistrate. During course of investigation it was found that certain monetary transactions took place between the petitioner and the accused person as a result whereof one bank account of the son was debit-frozen.
9. In connection with allegation of threat at the instance of FIR named person it is disclosed in the communication dated 27th March, 2026 that under Section 94 of Bharatiya Nagarik Suraksha Sanhita, 2023, notice was issued but same was not complied with by the petitioner.
10. On posing query to the learned advocate representing the petitioner it is submitted that if, in future, such notice under Section 94 of BNSS is issued by the concerned police authority, same shall be complied with.
11. Having considered the respective submissions made on behalf of the parties and taking note

of the contents of the communication dated 27th March, 2026 concerned police authority is directed to take investigation to its logical conclusion at an early date in accordance with law.

12. Since investigation is still going on and there is an allegation of threat by the petitioner against accused persons, concerned police authorities are also directed to provide police protection to the petitioner, if occasion so arises.

13. However, petitioner shall comply with notices if issued under Section 94 of BNSS in order to expedite the enquiry relating to complaint made by the petitioner against the accused persons that they were threatening the petitioner.

14. With the aforesaid directions and observations writ petition stands disposed of.

15. Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)