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(DL)

19.06.2026
Court No. 05
(Suvendu /Arpan)

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
(APPELLATE SIDE)

WPA 12241 of 2026

Srimati Banashree Das
-Versus -

The State of West Bengal & Ors.

Mr. Sanjib Kumar Mukhopadhyay
Mr. Timir Kanti Biswas
Ms. P. Roy

....for the petitioner

Mr. Suryaneel Das, Ld. AGP
Ms. Anita Kundu
Ms. Sumita Sarkar

...for the State respondents

1. Affidavit of service filed on behalf of the petitioner is taken on record.
2. It is submitted on behalf of the petitioner that there was disturbance with regard to payment of sum at the instance of respondent nos. 5 and 6. Acrimony between the petitioner and respondent nos. 5 and 6 was due to failure on the part of respondent no. 5 to pay loan amount to the petitioner as alleged. It is contended that cheque which was issued to the petitioner was dishonoured and thereafter trouble started. Prayer is made for giving direction upon the concerned police authorities to provide

assistance and to register FIR based on the complaint lodged.

3. Mr. Das, learned Additional Government Pleader representing the State respondents has filed a communication dated 18th June, 2026 of Inspector-in-Charge, Burdwan Police Station, Purba Bardhaman and same is taken on record. Copy of communication dated 18th June, 2026 is made over to learned advocate representing the petitioner.

4. It appears from communication dated 18th June, 2026 that petitioner and her husband were implicated in a criminal prosecution connected to FIR no. 325/2026 dated 5th June, 2026 under sections 103(1) and 328 of the Bharatiya Nyaya Sanhita, 2023 and were arrested by New Ashok Nagar Police Station, Delhi. It is disclosed in said communication that as per communication dated 7th June, 2026 of one Inspector of Police namely Rajesh Kumar, D-4938, New Ashok Nagar Police Station, Delhi both the petitioner and her husband were arrested and certain case properties were seized from their rented accommodation. Petitioner and her husband were produced before the learned Chief Judicial Magistrate, Purba Bardhaman for obtaining transit remand to Delhi and on allowing such transit remand both of them are in judicial custody in Delhi.

5. However, these facts are not stated in the writ petition.

6. Suppression of facts so far criminal prosecution is pending against the petitioner and her husband in Delhi is not looked at from different perspective since writ petition was filed on 3rd June, 2026 and FIR which is referred in communication dated 18th June, 2026 of Inspector-in-Charge of Burdwan Police Station is dated 5th June, 2026.

7. However, Court is not satisfied with the case made out in the present writ petition in view of facts disclosed in said communication dated 18th June, 2026 which goes to show that petitioner and her husband are implicated in another criminal prosecution and they are in custody.

8. Hence, writ petition stands dismissed.

9. Urgent photostat certified copy of this order, if applied for, be given to the parties on usual undertaking.

(Saugata Bhattacharyya, J.)