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05.01.2026
Ct. No.5
b.das

WPA 11881 of 2025

**Smritikana Ghosh
Vs.
The State of W.B. & Ors.**

Ms. Anita Kaunda
Mr. Anubrata Dutta ...for the petitioner.

Mr. Suman Sengupta
Mr. Sambuddha Dutta ...for the State.

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

None appears for the private respondents despite service.

Heard learned counsels for the parties.

Learned counsel for the petitioner submits that due to marital discord with her husband, she is residing in her parental house with the private respondents who are her father, brother and sister in law.

The petitioner alleges that the private respondents are severely torturing her in order to grab her property. She seeks police protection. Complaint lodged by the petitioner has not been acted upon.

It appears from the report submitted by the State that the petitioner as well as her father have lodged complaints against the petitioner's husband which were registered as FIRs and charge sheets submitted upon completion of investigation.

On being driven out of her matrimonial home, Hasnabad PS filed General Diary and took prompt action to accommodate the petitioner at her residence.

Upon consideration of the submission made on behalf of the parties, this Court is inclined to hold that in the event the petitioner is aggrieved by the fact that the police is silent over the complaint lodged by her, she is at liberty to approach the jurisdictional Magistrate under Section 175 of the BNSS for redressal of her grievance.

In the meantime, the police authority shall keep strict vigil over the area in order to avoid any untoward incident due to the strained relationship between the parties. The police shall also render necessary assistance/protection to the petitioner as and when sought.

With the above observation and direction, the writ petition is disposed of.

There shall, however, 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.)