

WPA 13464 of 2026

**Ratna Saha Roy
Vs.
The State of West Bengal & Ors.**

Ms. Ratna Saha Roy
... petitioner (in person)
Mr. Suryaneel Das
Ms. Anita Kundu
Mr. Bhaskar Bhattacharyya
...for the State
Mr. Surajit Basu
...for the respondent no. 7

1. Affidavit of service filed on behalf of petitioner is taken on record.
2. Petitioner appears in person and expresses her grievance relating to steps taken by the police authorities in investigating Phoolbagan P.S. Case No. 64 dated 11th March, 2021. Prayer is made for giving certain directions upon the concerned police authorities for taking appropriate steps in connection with the aforesaid criminal prosecution.
3. Respondent no. 7 and State respondents are represented by learned advocates.
4. Mr. Suryaneel Das, learned Additional Government Pleader represents State respondents and submits communication dated 30th June, 2026 of Officer-in-Charge, Phoolbagan Police Station and same is taken on record.

5. Copies of said communication dated 30th June, 2026 are made over to the petitioner and learned advocate representing respondent no. 7.
6. It is disclosed in the communication dated 30th June, 2026 that on completing investigation in Phoolbagan P.S. Case No. 64 dated 11th March, 2021 a charge sheet was filed being no. 04/2022.
7. It also appears from the said communication dated 30th June, 2026 that one Tripti Saha Roy Biswas lodged another complaint alleging death of Tapan Kumar Saha Roy and another criminal prosecutions being Phoolbagan P.S. Case No. 77 dated 26th March, 2021 was also initiated. In connection with that criminal prosecution investigation was complete and charge sheet being No. 159/2021 was filed. Trial of that criminal prosecution is pending before the learned 2nd Judicial Magistrate, Sealdah. Tripti Saha Roy Biswas expired on 27th November, 2025.
8. Therefore, it emanates from the communication dated 30th June, 2026 that relating to death of one Tapan Kumar Saha Roy two criminal prosecutions one being Phoolbagan P.S. Case No. 64 dated 11th March, 2021 and another Phoolbagan P.S. Case No. 77 dated 26th March, 2021 were initiated. On

completing investigations in both the criminal prosecutions charge sheets were filed in 2021/2022. Trial in both the criminal prosecutions are pending.

9. In view of progress made in the aforesaid criminal prosecutions by filing charge sheet and taking cognizance of offence by the Court below writ petition under Article 226 of Constitution of India is not maintainable. In this regard reliance is placed on the judgment of Hon'ble Supreme Court reported in **2024 SCC OnLine SC 5761 (Neeta Singh & Ors. Vs. State of Uttar Pradesh & Ors.)**.

10. Hence, writ petition stands dismissed.
11. However, this order shall not preclude the petitioner to approach the appropriate forum in pursuit of remedy.
12. Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)