

WPA 25458 of 2025

Soma Saha Barua
Vs.
The State of W. B. & Ors.

Md. Shamimuddin
Ms. Sana Parveen ...for the petitioner.

Mr. Suman Sengupta
Mr. D. Basu Mallick ...for the State.

Ms. Jeenia Rudra ...for the private respondents.

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

Heard learned counsels for the parties.

The private respondents are the members of the matrimonial family of the petitioner.

The petitioner alleges that she is tortured and assaulted by them continuously for which she filed a case under Section 12/23(2) of the Protection of Women from Domestic Violence Act. By an order passed on 3rd October, 2024, the learned Magistrate restrained the private respondents from committing or inflicting any sort of domestic violence upon the petitioner while she was at her matrimonial home. The Inspector in Charge, Chinsurah police station was directed to extend cooperation to the petitioner for compliance of the order.

The petitioner submits that despite such order, the private respondents continued to torture and assault her

for which she lodged complaints before the police authority. The first complaint lodged by her has culminated in charge sheet.

The private respondents have also lodged a counter complaint against the petitioner which has been registered as FIR and investigation is in progress.

Learned counsel for the private respondents submits that presently the private respondents are residing elsewhere and have no connection with the petitioner in any manner whatsoever.

Upon consideration of the submission made on behalf of the parties, this Court is of the view that since the petitioner has been granted interim protection by the learned Magistrate, she is at liberty to take necessary steps before the appropriate forum for redressal of her grievance.

In the meantime, the police authority shall ensure maintenance of peace and tranquility in the house in question and shall render necessary assistance/protection to the petitioner as and when sought.

The writ petition is disposed of accordingly.

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.)