

**HIGH COURT OF TRIPURA
AGARTALA**

WP(C) No.1065/2022

Smt. Rita Debnath

----Petitioner(s)

Versus

The State of Tripura and others

-----Respondent(s)

For Petitioner(s) : Mr. M. Debnath, Advocate.

For Respondent(s) : Mr. Sankar Lodh, Advocate,
Mr. Soumyadeep Saha, Advocate.

HON'BLE THE CHIEF JUSTICE (ACTING)

Order

06/02/2023

Heard Mr. M. Debnath, learned counsel appearing for the petitioner. Also heard Mr. Soumyadeep Saha, learned counsel appearing on behalf of respondents No.1 to 7 and Mr. Sankar Lodh, learned counsel appearing for the respondent No.9.

2. This writ petition is filed under Article 226 of the Constitution of India for directing the respondents to investigate into the complaint No.BLN P.S. case No.2022BLN043 dated 07.07.2022 in accordance with law for rendering substantive and conscionable justice.

3. The facts of the case, in brief, are that on 06.07.2022 at about 10 p.m. while the son of the petitioner namely Abhijit Debnath was returning from market, he was intercepted by some miscreants, private respondents herein, and one of them slit his throat and attacked him with a sharp edged weapon while the others constrained him in a tight grip so that he could not run away or make any hue and cry. The miscreants also attacked on his face and butchered his ear and threw him on the verandah of their residential premises resulting which the victim succumbed to his injuries. On 07.07.2022 hearing the incident from one Smt. Sanju Shil, the petitioner along with her family rushed to the spot and found her son dead. The police also gave postmortem certificate to the petitioner. Subsequently, on the same day the petitioner and her husband Sri Sunil Debnath submitted an FIR which was registered as BLN P.S. case No.2022BLN043 dated 07.07.2022 but the police did not take any action on that FIR. Finding no other alternative, the petitioner and her husband approached the Sub-Divisional Police Officer, Belonia (SDPO, Belonia for short) by writing a letter dated 15.07.2022 stating their grievances. On 23.11.2022 petitioner wrote another letter to S.P., Belonia, but all went in vain. Aggrieved thereby, the petitioner has preferred this writ petition seeking a direction to investigate into the complaint filed. Hence, this case.

4. Mr. M. Debnath, learned counsel for the petitioner, contends that the police authority with ulterior motive as well as to shield the actual accused persons and their accomplice did not take any step to investigate into the complaint. Accordingly, he prays for directing the concerned respondent-authorities to investigate into the matter. On the other hand, Mr. Soumyadeep Saha, learned counsel for the respondents-State also agreed to the submission advanced by the learned counsel for the petitioner.

5. Having heard the submissions of learned counsel for the parties, the present writ petition is disposed of directing the S.D.P.O., Belonia, South Tripura District to look into the matter [BLN P.S. case No.2022BLN043 dated 07.07.2022] and monitor the investigation.

6. In terms of above, the writ petition is allowed and accordingly disposed of.

Pending application(s), if any, also stands disposed of.

CHIEF JUSTICE (ACTING)

Pulak