

THE HIGH COURT OF TRIPURA

A G A R T A L A

Crl. Pet. No. 32 of 2011

Petitioner :

Sri Chandan Debnath,
Son of Late Ramani Debnath, Residing at
Jirania opposite old Police Station, P.S-
Jirania, District-West Tripura.

By Advocate :

Mr. R. G. Chakraborty, Adv.

Respondents :

- 1. State of Tripura.**
(Notice to be served through Ld. P.P.)
- 2. Smti. Suniti Nath, MPW(F),**
D/o. Late Ramananda Nath, P.O & P.S-
Ambassa, Dhalai District and also C/o.
C.M.O. Office, Ambassa, Dhalai.

By Advocate :

Mr. S. Bhattacharji, Adv.

B E F O R E
HON'BLE THE CHIEF JUSTICE MR. DEEPAK GUPTA

Date of hearing & : **7th September, 2015**
Judgment & Order

Whether fit for reporting :

Yes	No
	√

J U D G M E N T & O R D E R(oral)

This petition is directed against the order dated 22nd October, 2011 whereby the learned trial Court had added Section 307 IPC as one of the offences.

[2] I have gone through the entire record. Initially a case was registered against the petitioner under Section 457/354/506/507 IPC. This case was lodged at the instance of one, Smti Suniti Nath on 30th August,

2011 in which she alleged that on 25th August, 2011 at about 7 am the accused entered into her rented house and outrage her modesty.

[3] Thereafter it appears that she filed another complaint that while she was coming by walking from her office on 24th September, 2011 at about 2 pm the accused tried to dash her by means of motorcycle from the backside. But somehow she managed to save herself. Again on 28th September, 2011 on the same spot the same person again dashed her by the motor cycle and got a little injury in consequence of the said accident. No medical report has been placed on record and there is not even an allegation that the accused attempted to kill her. If the accused had attempted to kill her there would have been some injuries on the person of the complainant. There are no such injuries and therefore, I am no hesitation in holding that the order whereby Section 307 has been added is a totally illegal order. The same is accordingly quashed.

[4] The learned trial Court shall proceed with the Original FIR in accordance with the law.

[5] Criminal Petition is disposed of in the aforesaid terms.
Send down the LCRs forthwith.

CHIEF JUSTICE