

WPA(P) 253 of 2022

Sumitra Bhattacharyya (Neogi)
Vs.
The State of West Bengal & Ors.

Mr. Pratip Kr. Chatterjee

... .. for the petitioner

Mr. Subhabrata Datta

Mr. Debashis Sarkar

... .. for the State

In this public interest petition the petitioner is stated to be the practicing advocate of this Court had alleged that the daughter of one Sk. Taju and wife of Atibur Ali Khan was brutally raped and murdered on 12th April, 2022 by Atibur Ali Khan and his associates.

It was further alleged that after the incident the police had not registered any complaint and Salisi Sabha, i.e. Kangaroo Court was conducted compelling the accused to hand over the cost of ₹1,00,000/- to the father of the victim and that in the presence of the local leaders the body was buried on 14th April, 2022.

On the basis of those allegations the petitioner had prayed for handing over the investigation to the Special Team.

On the direction of this Court the respondent no.4 has filed the report in the form of affidavit disclosing that the respondent no.4 the Inspector-in-Charge of Contai Police Station had received the information on 12th April, 2022 from the Facility Manager, Contai SD Hospital to the effect that wife of Atibur Ali Khan was brought dead in the hospital. On the basis of the said intimation, Contai Police Station started UD Case being No.78/2022

dated 13th April, 2022 and on the inquiry it was revealed that the wife of Atibur Ali Khan had died within seven years of marriage, therefore Magisterial inquest was required. Magisterial inquest was done and the report was prepared, signed by four witnesses. Thereafter, the post-mortem of the dead body was conducted and in the post-mortem it was revealed that death was due to hanging which was ante-mortem and suicidal in nature. The viscera was preserved and has been sent to FSL, Kolkata for chemical examination. No foul play during the inquiry has been found in respect of the death.

The report filed in the form of affidavit today clearly reveals that the allegations made in the petition are incorrect. The annexure P-1 which is relied upon by the learned counsel for the petitioner relates to payment of amount towards return of ornaments.

In the aforesaid circumstances, we find no merit in the present petition which is accordingly dismissed.

(Prakash Shrivastava, C.J.)

(Rajarshi Bharadwaj, J.)