

S/L 494 (ML)
23.08.2022
Court. No. 19
GB

WPA 20168 of 2021

Sukumari Pal
VS
The State of West Bengal & Ors.

Mr. Manas Kumar Das

...for the Petitioner.

*Ms. Chaitali Bhattacharya,
Ms. Sanjukta Samanta.*

...for the State.

Mr. Pratip Kumar Chatterjee.

...for the Respondent No.7

Affidavit-of-service filed in Court today, be kept with the record.

The petitioner alleges that the injury, which was inflicted upon the petitioner's husband by the respondent no.7, was the cause of the death of her husband. The death occurred after more than seven months from the date of the incident. On the complaint lodged by the petitioner, an FIR was registered. Upon completion of the investigation, charge-sheet has been filed. Thereafter, the petitioner's husband died. It is the allegation of the petitioner that the death was due to the injury sustained by the husband of the petitioner seven or eight months prior to the death and section 302 of the Indian Penal Code, must be incorporated in the charge sheet.

Such cause is not reflected in the death certificate. In any event, the petitioner has her remedies before the appropriate court. The petitioner cannot be granted any relief before this Court, at this stage.

Under such circumstances, no order is passed. The observations made hereinabove are restricted to the disposal of the writ petition and shall not prejudice the trial.

Accordingly, the writ petition is disposed of.

However, there will be no order as to costs.

All the parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)