

18.07.2023
Serial no. 38
[G.S.D]

CRR 381 of 2023

In the matter of : Nasmin Begum

... .. Petitioner

Mr. Partha Sarathi Das
Mr. Kaushik Biswas
Ms. Shanta Sarkar
Mr. D. De

... for the petitioner

The present petitioner has prayed for transfer of Arambagh P.S. Case No. 296 of 2013 dated 10.05.2013 under Sections 341/323/325/509/506 of the Indian Penal Code.

The petitioner is directed to serve a copy of this revisional application upon Mr. Rudradipta Nandy, Learned A.P.P., who ordinarily appears for the State. His appearance may be regularised by the concerned authority.

I find that the main grievance of apprehension expressed by the petitioner is that when she approaches or attends the proceedings of the Learned Trial Court, the accused person along with the certain miscreants creates restrain and abuses her with filthy languages while she is on her way to Court. A General Diary Entry, to that effect, was also made at the Police Station. The petitioner, as such, is apprehensive and prays for transfer of the proceeding from

the jurisdiction of the Arambagh Court to a Court at Calcutta.

The apprehension is an issue of anxiety.

Accordingly, Mr. Nandy, Learned Advocate for the State, is directed to inform the Inspector-in-Charge of the Arambagh P.S. or the jurisdictional P.S., which the lady has to cross while approaching the Arambagh Court. The concerned Inspector-in-Charge/Officer-in-charge of the P.S. shall provide protection to the lady. The lady would provide the list of dates which have been fixed by the Court to the Inspector-in-charge and the Inspector-in-charge shall then provide protection to the lady. The information to such extent be provided by the applicant/lady at least 24 hours in advance to the concerned P.S.

If there are further threats or abuses held on the lady, the same should be brought to the notice of the Learned Trial Court and the Learned Trial Court would thereafter pass necessary directions upon the Superior Officer of the police authorities and also at the same time reconsider the bail enjoyed by the accused persons.

So far as the prayer for transfer is concerned, at this stage, the same is not interfered with. The concerned authorities would act in accordance with the direction given above.

With the aforesaid observations, CRR 381 of 2023 is disposed of. Pending application(s), if any, is also disposed of.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court at Calcutta.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties, subject to compliance with all requisite formalities.

(Tirthankar Ghosh, J.)