

WPA 18392 of 2023

‘X’ The Victim
-vs-
State of West Bengal & ors.

Mr. Srikanta Paul
Mr. Uttam Kumar Halder
.....for the petitioner
Mr. Ansar Mondal
Mr. Md. Idrish
Mr. Sujit Chatterjee
...for the State
Mr. Abhra Mukherjee
Mr. S. Dutta
Mr. S. K. Mondal
...for the respondent nos. 4 to 18

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner and his family members were attacked and assaulted by the accused. However, the police applied pressure so that the real facts could not be incorporated in the FIR. In fact, there was an attempt to rape the present petitioner. On 17.07.2023, a representation was given to the Police with details of all that had happened. Yet, no action has been taken in this regard. The husband and the son are still staying outside out of fear of the private respondents.

Learned counsel appearing on behalf of the private respondents submits as follows. It was the petitioner's relatives who had done the actual assault. The private respondent no.4 was brutally assaulted. He lodged an FIR on 12.07.2023. The case is being investigated into. In order to extricate themselves out of such mass, this counter FIR has

been lodged and now is being tried to be improved upon.

Learned counsel appearing on behalf of the State relies on the report, which is taken on record and submits that both the FIRs are being investigated into, soon reports in final form would be filed.

It appears that two counter cases have been lodged by the adverse sides. Both are relying on injury reports.

Let the Investigating Agency properly investigate into the two cases expeditiously and in accordance with law.

In the meantime, the respondent police authorities shall ensure that no breach of peace takes place and no harm is done to the present petitioner.

If any untoward incident happens or is apprehended, the petitioner shall be at liberty to intimate the local police station about the same and they shall act promptly on such allegations in accordance with law.

The Investigating Agency shall take into consideration all the representations made by the petitioner while investigating the cases.

With these observations, the writ petition is disposed of.

Since affidavits were not called for, allegations are deemed not to have been admitted.

Urgent Photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Jay Sengupta, J.)

