

27 12.09.2023
NB Ct. 14

WPA 19617 of 2023

Rakhi Dolai
Vs.
The State of West Bengal & Ors.

Mr. Dhananjay Banerjee,
Mr. Samrat Chowdhury,
Mr. Arup Kumar Bhowmick.
...for the petitioner.

Mr. K. J. Yusuf,
Mr. Parikshit Goswami.
...for the State.

Mr. Gopal Ch. Ghosh,
Mr. Raj Krishna Mondal.
...for the private respondents.

Affidavit of service filed on behalf of the petitioners is taken on record.

Report filed on behalf of the State is also taken on record.

Learned counsel appearing on behalf of the petitioner submits that the private respondents had committed atrocities on the petitioner. This prompted the petitioner to lodge an FIR on 02.05.2023, inter alia, under Sections 354B, 307 and 325 of the Penal Code and Section 3 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989. Yet, till now none of the accused has been arrested. They are roaming around freely and threatening the petitioner.

Learned counsel appearing on behalf of the private respondents submits as follows. It is actually a dispute regarding property that led the petitioner to lodge the present

FIR at a belated stage. She did not even spare a minor thalasemia patient. However, she surrendered before the learned Trial Court and obtained bail.

Learned counsel appearing on behalf of the State relies on the report and submits as follows. The police are investigating the alleged offences. The victim has already been examined under Section 164 of the Code.

It appears that there is an existing dispute pending between the private parties. On the complaint of the petitioner, an FIR has already been lodged. She had also been examined under Section 164 of the Code.

Let the investigating officer investigate the offences expeditiously and in accordance with law.

The respondent police authorities shall also keep a sharp vigil at the locale and ensure that no breach of peace takes place.

With these observations, the writ petition is disposed of.

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J.)