

September 26, 2023
AD 6
Court No.14
SG

WPA 19658 of 2023

Basudeb Barman
vs
State of West Bengal and others

Mr. Malay Bhattacharya
Mr. Pradip Paul
Mr. Subhojyoti Ghosh
... for the petitioner

Mr. Somnath Ganguly
Ms. Sukalpa Seal
... for the State

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

Learned advocate appearing for the petitioner submits as follows. The petitioner's daughter was murdered by her husband and her in-laws at the matrimonial house. When the petitioner went to the place of occurrence, he found that his daughter was already shifted to a hospital. At the hospital they found injury marks on the petitioner. The magisterial inquest report also mentioned about four cut marks in the left arm. Yet, the post mortem report indicated that there are no injuries on the dead body except for the ligature mark. In the opinion of the doctor, it was a suicidal death. The petitioner is also concerned about the whereabouts of the 2½ years child of the victim.

Learned advocate for the State relies on the report and the case diary and submits as follows. Section 304B of the Penal Code has been added to the array of charges. The husband has already been arrested. The other

accused are absconding. In all probability the minor child of the victim is with the absconding accused.

It appears that there was no mentioning of a cut mark on the left arm either in the inquest done by the police or in the post-mortem report. The magisterial inquest does not indicate the age, the nature and the extent of such injuries.

The investigating officer shall try to reconcile the inquest reports and the post-mortem report. If necessary, a further medical opinion

be obtained in this regard.

The investigating officer shall conclude the investigation as expeditiously as possible and in accordance with law.

With these observations, the writ petition is disposed of.

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

[Jay Sengupta, J.]