

HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

Present:

THE HON'BLE JUSTICE JAY SENGUPTA

WPA 23946 of 2023

Rubi Khatun

Versus

The State of West Bengal & Ors.

For the petitioner

Mr. Kaustav Bagchi
Mr. Debayan Ghosh
Ms. Priti Kar

For the State

Mr. Wasim Ahmed
Sk. Md. Masud

For the Respondents

Mr. Robiul Islam
Mr. Raju Mondal
Mr. Jayed Hossain

Heard on

04.12.2023

Judgment on

04.12.2023

JAY SENGUPTA, J:

This is an application alleging police inaction and praying
for police protection.

Affidavit of service filed in Court is taken on record.

Learned advocate for the petitioner submits as follows. The petitioner is the wife of a worker who belonged to the Indian National Congress, an opposition political party. The private respondents are the leaders and workers of the ruling political dispensation. After the panchayat elections of 2023, the private respondents attacked the petitioner's husband who succumbed to the severe injuries inflicted. First, the investigation is not being done properly. Secondly, most of the private respondents have not been arrested. They are roaming around freely and threatening the petitioner to withdraw her complaint. Even after the direction passed by this Court on 9th October, 2023, the miscreants continue to do such mischief. The tower locations of the respective accused would bear out the same.

Learned advocate for the private respondent Nos.6 and 24 submits as follows. The allegations made in the writ petition are denied. Some of the accused were granted anticipatory bail and some arrested accused were granted bail. Application for anticipatory bail of some other co-accused are pending before this Court.

Learned advocate for the State submits as follows. The report filed earlier would show that a thorough investigation is going on. Several accused were arrested. A counter-case started, inter alia, under Sections 307, 326 of the Penal Code is also being investigated. The mobile tower location details have

already been gathered from the concerned authorities. Statements of the witnesses have also be recorded under Section 164 of the Code. The police are keeping a close watch on the developments in the locality.

It appears that the police have taken steps in investigating the case as also for providing protection to the victim's family.

Let the investigation be concluded expeditiously and in accordance with law.

The police shall keep a sharp vigil at the locale and ensure that no breach of peace takes place and no harm is done to the petitioner. The police picket consisting of two police personnel one of whom is armed, as placed in front of the petitioner's house by the local police shall continue for a period of 3 months.

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)

SG

