

4
16.06.2023
ssi.

**Calcutta High Court
In the Circuit Bench at Jalpaiguri
Appellate Side**

WPA 1246 of 2023

Tumpa Sutradhar
-versus
The State of West Bengal & Ors.

Mr. Anirban Banerjee
... For the petitioner
Mr. Subir Kumar Saha, Ld. AGP
Ms. Bedashruti Bose
...for the State

This is an application under Article 226 of the Constitution of India alleging police inaction in respect of Jaigaon Police Station Case No. 55 of 2023 dated 04.03.2023 under Sections 341, 354 and 323, 326A, 511 and 34 of the Indian Penal Code.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is a victim of acid attack. Although a First Information Report was registered, the allegations were not investigated properly. The accused were not arrested. They are roaming around freely and threatening the victim.

Learned counsel appearing on behalf of the State files a report, which is taken on record, and submits as follows. The case is an outcome of a rivalry between relatives over a property. Earlier, a criminal case was filed on behalf of the private respondents which is still pending. Although the petitioner, the alleged victim

herein, claimed that there was an acid attack on her on 20.02.2023, she has annexed an OPD ticket at a government hospital dated 09.03.2023. There in the portion about why she went to the OPD, it is written that this was due to some kind of pain due to acid injury. However, there is no finding that there was an acid attack. On the contrary, when she was taken to the government hospital, she was examined by doctors and it was found that she only suffered simple injuries on the palm and the sole. Reference is made to the injury report present in the case diary. After a thorough investigation, a charge-sheet was submitted. In fact, the accused respondents surrendered before the learned Court. They were granted bail by the learned Sessions Court.

I have heard the submissions of the learned counsels for the parties and have perused the writ petition and the report filed on behalf of the State.

It appears that investigation was properly done in this case and a charge-sheet was filed. It is also intimated that the accused surrendered before the learned Court and were granted bail by the learned Sessions Court.

It does not appear that any laxity was there on the part of the Investigating Agency in investigating the offences.

If the petitioner is aggrieved with the charge-sheet submitted, the petitioner has adequate means to challenge the same before the learned trial Court by filing a narazi petition.

However, in the present circumstances, the petitioner has not made out any case for interference by this Court.

Accordingly, the writ petition is dismissed.

However, there shall be no order as to costs.

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

(Jay Sengupta, J.)