

May 21, 2024
AD 20
Ct. No.14
SG

WPA 13180 of 2024

Ritika Halder
vs.
The State of West Bengal and others

Mr. Shahan Shah
Mr. Soumen Barman
Mr. Umanun Khan
Mr. Md. Shahjahan
... for the petitioner

Ms. Ipsita Banerjee
... for the State

Mr. Mainak Ganguly
Mr. Abhishek Singh
... for the respdt Nos.4 & 5

Learned counsel for the petitioner submits as follows. The petitioner was tortured by her husband at her matrimonial home for dowry. On some occasions, she was brutally assaulted. In fact, she received serious injuries on her head and shoulder. One day, she was attacked with knife. In spite of all these, the FIR was registered only under Sections 498A, 406 and 506 of the Penal Code and under Sections 3 and 4 of the Dowry Prohibition Act. The investigation is not being done properly. During pendency of the writ petition some stridhan articles belonging to the petitioner were set on fire in front of the police.

Learned counsel for the State relies on the case diary and submits that the marriage between the couple took place in 2010. In the FIR, the petitioner alleged that she

was tortured and thereafter assaulted by the private respondents with a sharp-cutting weapon. The injury report shows that the same was simple in nature. The statements have been recorded. On one occasion, the petitioner expressed her inability to accompany the police for recovery of stridhan articles. On a subsequent occasion, raid was held, but nil seizure list had to be submitted.

It appears that the injuries may not be technically grievous in nature. However, they are nevertheless serious. There was history of bleeding from nose and cut on the left side face.

The police authorities shall be at liberty to incorporate appropriate charges, if they are to be added to the existing charges.

Let the investigation of the case be concluded expeditiously and in accordance with law and under the supervision of the concerned SDPO.

The police shall 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.

Parties shall act on a server copy of this order duly downloaded from the official website of this Court.

[Jay Sengupta, J.]

