

Court No. 14
Item Nos.11 & 12
13.02.2024
(Suvendu)

WPA 23712 of 2023
Aklima @ Aklima Khatun
Vs.
The State of West Bengal & Ors.

With

WPA 553 of 2024
Roushan Begam
Vs.
The State of West Bengal & Ors.

Mr. Niladri Sekhar Ghosh
Mr. Nazar Chowdhury
Mr. Sourav Mondal
.....for the petitioner (In WPA 23712/2023)

Mr. Mujibar Ali Naskar
Mr. Habibur Rahman
.....for the petitioner (In WPA 553/2024)

Mr. Debasish Roy, Ld. PP,
Mr. Rudradipta Nandy, Ld. APP,
Mr. Suman Ghosh
Mrs. Munmun Tewari
.....for the State

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

Learned counsel appearing for the petitioner in
WPA 23712 of 2023 submits as follows. The
petitioner is the wife of the deceased/ victim of poll
violence. The other victim is the cousin brother of the
petitioner's husband. On the date of poling in the

Panchayat Elections of 2023 i.e. on 8th July, 2023, the miscreants owing allegiance to the ruling poetical dispensation started hurling bombs outside the polling booths. The cousin brother was only a voter standing there. He was hit and succumbed to his injuries. Soon thereafter, the anti social elements belonging to the ruling party went inside the polling booth, dragged the petitioner's husband who was the polling agent of one of the opposition candidates out of the booth and brutally murdered him. There was an atmosphere of terror. So, the petitioner or any of her relatives could not raise any voice. Afterwards a suo moto case was registered by the local police against unknown accused. A false narrative was being attempted to be foisted that in retaliation of one of the deaths, the other death occurred. The prime accused had been made a witness in this case. However, pursuant to the directions passed by this Court, the said case was split up into two different cases relating to the two different incidents of deaths and investigation is going on. But, the Superintendent of Police, Islampur Police District, who was directed to supervise the investigation, has now being transferred. The concerned authorities have stated that the CCTV cameras were not having the relevant footages. However, there are CCTVs also installed nearby, for instance, at the Bank of Baroda branch

and a grocery shop. Video footages, which have been supplied to the investigating agency, have not been sent for FSL test.

Learned counsel appearing for the petitioner in WPA 553 of 2024 submits as follows. The petitioner is the wife of the other victim deceased. After the FIR was split up and investigation commenced in respect of the same, the accused have started to threaten and intimidate the petitioner.

Learned counsel appearing for the State relies upon the report and submits as follows. The transfer of the Superintendent of Police, Islampur Police District was a routine one. However, a Special Investigation Team (for short, SIT) headed by the Superintendent of Police of the concerned Police District have already been formed, which is looking into the matter. Evidence have already been collected. Call Tower records are being analyzed to apprehend the accused. Raids have also been conducted at the relevant places of West Bengal, Jharkhand and Hyderabad and even in the bordering State of Nepal. All CCTV footages, which had been handed over to them, were sent for FSL test. As of now, seventeen accused have been arrested in connection with the two cases.

It appears that after the FIR was split up into two cases, investigation has been done. Several steps have also been taken in this regard.

Therefore, no further order need be passed.

However, the petitioners in both the writ petitions shall be at liberty to assist the investigating agency and even provide for any clue that may be available to them.

The local police authorities shall keep a sharp vigil at the locale and ensure that no breach of peace takes place. The police shall also ensure that there is no harm done to the petitioners. Surveillance shall conclude frequent visits by police patrol.

With the above observations, both the writ petitions are disposed of.

Urgent photostat certified copy of this order, if applied for, be given to the parties on usual undertakings.

(Jay Sengupta, J.)