

January 4, 2024
AD 4
Ct. No.14
SG

WPA 23805 of 2023

Rabindranath Das
vs
The State of West Bengal and others

Mr. Debajyoti Deb
Ms. Sutapa Banerjee
Mr. Somdyuti Parekh
... for the petitioner

Mr. Suman Sengupta
Mr. Sanatan Panja
... for the State.

Learned advocate for the petitioner submits as follows. The prime grievance of the petitioner was that appropriate sections of the Penal Code were not added as charges in the FIR. It was merely started under Sections 325/308 of the Penal Code despite the fact the petitioner and his wife received grievous injuries. They are still in fear of life because the accused are the local antisocial elements, close to the ruling political dispensation of the State.

Learned advocate for the State files a copy of an application made on by the investigating officer praying before the learned Magistrate for addition of Sections 326/307 of the Penal Code in the array of charges. The same is taken on record. He further submits that such an application has already been filed, which is pending consideration.

It appears that the allegations made in the FIR are very serious. It is alleged that the miscreants had

trespassed into the residence at night and committed assaults resulting in fracture of hands and legs of the victims.

However, it appears that now the investigating agency has prayed for addition of appropriate charges.

Let the same be considered expeditiously and in accordance with law.

To allay the fears that further atrocities may be committed by the miscreants upon the petitioner and his family members, let the Inspector-in-Charge of Joynagar Police Station take appropriate steps to ensure the security of the petitioner and his family members.

The police shall keep a sharp vigil at the locale and ensure that no breach of peace takes place. The surveillance shall include frequent visits by police patrol.

The presence of the investigating officer is noted and is dispensed with.

With these observations, the writ petition is disposed of without any costs.

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

[Jay Sengupta, J.]