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16.09.2025
AGM

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A 15859 of 2025

**Rubina Bewa
-versus
The Union of India & Ors.**

**Mr. Debasish Banerjee.
Mr. Rakesh Jana.
...For the Petitioner.**

**Mr. Biswabrata Basu Mallick.
Mr. Nilanjan Adhikari.
... For the State.**

**Mr. Subrata Santra.
... For UOI.**

**Mr. Achin Jana.
Mr. Prosenjit Ghosh.
Mr. Bhaskar Dalui.
Ms. Jaysri Dhar.
Ms. Chetna Rustagi.
... For the respondent no. 3.**

1. The husband of the petitioner expired due to bullet injuries near the Indo Bangladesh Border. The petitioner alleges that BSF personnel are responsible for firing resulting in death of her husband.

2. Prayer has been made for grant of compensation under the West Bengal Victim Compensation Scheme, 2017.

3. As per the Scheme, 'victim' means a person who has suffered loss or injury as a result of crime and require rehabilitation.

4. The petitioner has not been able to prove that her husband died as a result of crime. On the

contrary, learned advocate representing SLSA relies upon the order of the learned Judicial Magistrate, Lalbagh, Murshidabad dated 8th November, 2024 in C.R. 865 of 2015 wherefrom it appears that the criminal case which was filed against the accused BSF personnel stood dismissed.

5. In the absence of any substantive document or evidence to show that the victim expired as a result of crime, the prayer of the petitioner for grant of compensation under the Victim Compensation Scheme cannot be allowed.

6. The writ petition fails and is hereby dismissed.

7. Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)