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04.12.2023
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Ct 14

WPA 20380 of 2023
with
WPA 6138 of 2023

Mr. Sankar Prasad Dalapati
Mr. Arka Bhattacharya
...for the petitioner in 20380 of 2023
Mr. Sayan Chattopadhyay
Mr. Soumyadeep Das
...for the petitioner in WPA 6138 of 2023
Mr. Tarak Karan
...for the State

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

Learned counsel appearing on behalf of the petitioner in WPA 20380 of 2023 submits as follows. The petitioner's son purportedly had a love affair with a girl belonging to another faith. This led to tension in the locality. The petitioner has nothing to do with the matter. Yet, he has been falsely implicated in several cases. Earlier police protection was sought and was given to a certain extent. No further FIRs should be lodged against the petitioner in this regard.

Learned counsel appearing on behalf of the petitioner in WPA 6138 of 2023 submits as follows. The petitioners are the parents of the minor victim girl who was subjected to sexual intercourse. Case was started under the POCSO Act. Afterwards, the relatives of the accused boy assaulted the girl and others. Although a case was registered, the same is not being investigated properly. Adequate police protection

have also not been provided.

Learned counsel appearing on behalf of the State relies on the report and submits as follows. The allegations made in the writ petition pertaining to police inaction are denied. All the FIRs lodged from either side were being properly investigated. One final report was submitted and at least four charge sheets were submitted in their cases filed. Adequate steps have also been taken to provide protection to both the parties.

Blanket protection sought by the petitioner in WPA 20380 of 2023 that no FIR should be lodged against the petitioner cannot be provided as the same cannot be sustained in the eye of law.

However, if any victim/defacto-complainant is aggrieved with the outcome of investigation, he or she shall be at liberty to file a protest petition, which shall be decided in accordance with law.

So far as providing protection to both the sides is concerned, let CCTV cameras be installed one in front of the house of the victim girl and the other in front of the petitioner in WPA 6138 of 2023. Surveillance shall continue through the same for a period of three months from this date.

The surveillance shall also include frequent visits by police patrols.

The respondent police authorities shall also keep a sharp vigil at the locale and ensure that no breach of peace

takes place.

Police shall take follow up measures in respect of all the cases.

No further order need be passed in this regard.

Both the writ petitions are disposed of with the above directions.

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

(Jay Sengupta, J.)