

BEFORE
TRIPURA HUMAN RIGHTS COMMISSION
KUNJABAN, AGARTALA

Complaint No. 50 of 2023

Smt. Malati Pal W/O Sri Biswajit Pal
VS
Amtali PS

FINAL ORDER DATED 08.09.2023

The instant complaint was registered on receipt of a complaint filed by one Smt. Malati Pal W/O Sri Biswajit Pal of Thikadas Para, Amtali, District- West Tripura alleging inter alia that police of Amtali PS are searching her house for her son Prasenjit Pal from 09.05.2023 but her son was not at home. From 9th May, 2023 her son is away from home and they cannot say where about of him.

She has also alleged that her married daughter Sabita Deb (Pal) reside in her matrimonial home at Mohanpur and police of Amtali PS are even disturbing the normal life of her married daughter by raiding their house at night, as well as abusing them with filthy words. Her relative Abhijit Pal is a minor, he is also harassed. They are often taken to Amtali PS on the pretext of interrogation. They are kept detained from morning till night and also harass them in different manners at PS. She prayed for redressal of such police atrocity.

2. The Commission considered the alleged complaint and passed an order directing the DGP, Tripura to inquire into the allegation and submit report.

Accordingly, Mr. Alok Bhattacharjee, AIGP (Crime) for Director General of Police, Tripura has submitted report stating that the matter was inquired into. During enquiry it was revealed that, a specific case vide Amtali PS case No. 2023AMT071 dated 10.05.2023 U/S 376 IPC and added section 376 (D)/328/225/120 (B)/366/342 IPC was registered in connection with an incident of rape of one Dipa Nama (21) a student of Ram Thakur college. Sri Prasenjit Paul of Daspara Amtali is one of the accused person in connection with above case. After the incident Prasenjit Paul has been absconding.

During investigation, I/O of the case made request to O/C Lefunga PS to visit the house of one Sanjit Paul, brother-in-law of absconding A/P Prasenjit Paul located at Chechuria, Mohanpur to inform him to appear before the I/O as early as possible for his examination. Thereafter, neither the I/O, nor any police staff of Amtali PS had visited the house of Sri Sanjit Paul of Chechuria, mohanpur. So the allegation made by the petitioner about threat/abuse/harassment by the police of Amtali PS on every midnight to her married daughter namely: Smt Sabita Deb (Paul)

W/O Sri Sanjit Paul of Chechuria, Mohanpur w.e.f. 09.05.2023 is not found to be correct.

Further on the basis of some evidence it had been revealed that the absconding accused person Prasenjit Paul was in touch with some local youths and some relatives including the minor Abhijit Paul. So, those local youths including Abhijit Paul were brought at Amtali PS for examination and after examination the said Abhijit Paul and others were allowed to go to their destination.

Further on 11.05.2023 the I/O of the case conducted raids in the house of Prasenjit Paul of Mahesh Khela, Das Para and recovered and seized cash amount of Rs. 93,00,000/- (Rupees ninety three lakhs) along with some documents and laptop and registered one case vide Amtali PS case No. 72/2023 U/S – 120 (B)/420 IPC and section 4/5 of TG Act and added Section 21 clause (1) & (2) and Section 23 of Banning of Unregulated Deposit Scheme for which Smt. Mitali Paul (Mother of Prasenjit Paul) was called at PS for examination observing all formalities. There is no intention of harassment of any person by police and proper supervision is being maintained by senior officers in this regard.

4. During inquiry the complainant Smt. Malati Pal was examined by this Commission. It is stated that she along with her minor relative namely: Abhijit Pal was called at PS and kept sit in there. She was also

informed that they were called at PS in connection with criminal case pending against her son Prasenjit Pal. She further stated that police raided their house and seized Rs. 93.00 lakh from her house. On 09.05.2023 her son Prasenjit Pal went out of home for market but did not return thereafter. His mobile phone was switched off and so she had no contact with her son.

4. It appears from the report of the DGP, Tripura that son of the complainant Sri Prasenjit Pal is one of the accused in connection with Amtali PS case no. 2023AMT071 dated 10.05.2023 U/S 376 IPC and added section 376 (D)/328/225/120 (B)/366/342 IPC. More over during raid in the house of Prasenjit Pal cash amount of Rs. 93.00 lakh was recovered along with some documents and laptop in connection with Amtali PS Case No. 72/2023 U/S – 120 (B)/420 IPC and section 4/5 of TG Act and added Section 21 clause (1) & (2) and Section 23.

5. It is concluded that the complainant were called at PS in connection with investigation of both cases and there was no intention of harassment of any person by police including the complainant and proper supervision was maintained by senior officer in this regard.

6. Considering both the complaint and the report of the DGP it appears that the complainant and her minor relative were called at PS for interrogation following investigation of two no. of cases in which her son

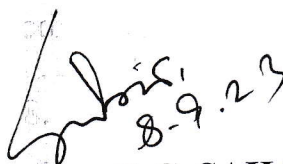
namely: Prasenjit Pal was involved as one of the accused person along with others. Police has the authority to interrogate any person in connection with investigation of any case who is acquainted with the facts and circumstances of a case. It is admitted by the complainant that they were informed by the police that they were called at PS for interrogation in connection with the cases registered against her son. She stated nothing about any ill treatment with them during the period of interrogation.

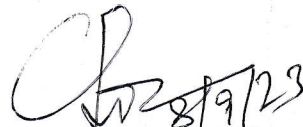
7. In view of the above factual aspects, the Commission do not find any foul play on the part of the investigation officer as alleged by the complainant in her petition.

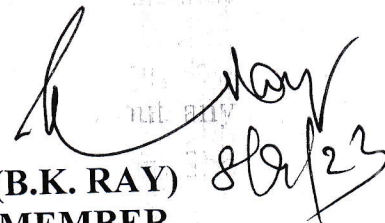
8. As a result the alleged complaint is hereby closed without any further inquiry.

9. A copy of this order be sent to the Chief Secretary, Govt. of Tripura and the DGP, Tripura for information.

10. Copy also be sent to the complainant for information.


(S.C. SAHA)
MEMBER


(JUSTICE S.C. DAS)
CHAIRPERSON


(B.K. RAY)
MEMBER