

BEFORE
TRIPURA HUMAN RIGHTS COMMISSION
KUNJABAN, AGARTALA

Complaint No. 74 of 2024

**(In connection with gang rape of a minor girl
of South Tripura District)**

FINAL ORDER DATED 04.01.2025

One Shreshta of 4 / 23 Annai Sivagami Nagar, PRC Colony, Thirunagar, Madurai, Tamil Nadu having mobile number 7448474103 lodged a complaint through email on 19.09.2024 alleging that a minor girl, a student of class five was kidnapped and gang rapped at South District of Tripura taking her to different location and thereafter, she was left near her house. The person who left her near her house was a 22 years old person. Sender of the email made a request to take cognizance of the matter under section 12 (a) of the Protection of Human Right Amendment Act 2019. The complaint was basically addressed to National Human Rights Commission and copy of the same was marked to this Commission. Since the incident allegedly occurred within the jurisdiction of the State Commission. The Commission thought it appropriate to send a copy of the complaint to DGP, Tripura to inquire into the matter at appropriate level and to submit a report to this Commission.

2. Subsequently, from the office of DGP, Tripura, AIGP (Crime), submitted a report bearing No.5592(1)/F 2 (74)/2024) –PHQ (CS)/2024 dated 23.10.2024. The report submitted by AIGP (Crime) reads as follows :-

“The matter was enquired into and a detailed report has been furnished by Superintendent of Police (South), Tripura. It has

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transpired that on the basis of written complaint of Smti. 'X', W/O Sri 'Y' (name is not disclosed) of Gajaria, Dharmanagar under Belonia PS, South Tripura, a specific case was registered at Belonia Women PS vide no. 2024/WMN/029 dated 15.09.2024 U/S – 127 (1)/96/76/65 (2) of BNS 2023 and section 04 of POCSO Act, 2012. The fact of the case in brief is that on 14.09.2024 afternoon at about 1400 hrs, while the minor daughter of the complainant i.e the victim reached near Kalibari on her way back home from Dharmanagar S.B. School, the FIR named A/P restrained her way and kidnapped her by using a vehicle bearing registration no. TR-08-D-1523.

After driving a while, the FIR named accused took the victim minor girl to a rubber garden and raped her forcibly. When the minor girl started hue and cry, the FIR named accused dropped her nearby the house of one Gouranga Datta and fled away from the spot along with the said vehicle. Then minor girl somehow reached her home and disclosed the whole fact to her mother.

Based on the complaint, I/C Inspr. Swapna Bhowmik, O/C Belonia Women PS registered the instant case and O/c herself took up its investigation. During investigation the Investigation Officer visited the PO and examined vital witnesses.

The Investigation officer also arranged to record the statement of the victim girl U/S-183 (5) BNSS. She arrested the FIR named accused person namely, Sri pasenjit Muhuri (22), S/O – Sri Biplab Muhuri, of Gajaria, Dharmanagar, PS- Belonia, South Tripura and forwarded before the Ld. Court and the arrested A/P was also taken into police custody on remand where he was thoroughly interrogated during the remand period.


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In course of investigation, the Investigating Officer arranged medical examination of the victim and the accused and collected the same. The vehicle was seized and the biological exhibits were also sent to SFSL for examination. The Investigation of the case is in progress.”

3. After receiving the report of AIGP (Crime) the Commission sent relevant portion of the report to the complainant through her email for her response, if any and listed the matter on 16.12.2024. The complainant did not submit any response on 16.12.2024. Accordingly she was given another opportunity to submit her response and fixed the matter today. But today also the complainant did not submit any response. On careful perusal of the report of AIGP (Crime), it is revealed that the matter was inquired into and thereafter a detailed report was furnished by SP, South Tripura. It reveals that based on a written complaint of the mother of the victim, a specific case was registered at Belonia Women PS vide No. 2024/WMN/029 dated 15.09.2024 US-127(1)/96/76/65(2) of BNS 2023 and also under section 04 of POCSO Act, 2012. The brief case as it appears from the report is that on 14.09.2024 afternoon at about 1400 hours, while the minor daughter of the complainant i.e the victim girl reached near Kalibari on her way back home from Dharmangar S.B.School, at that time the FIR named accused person restrained her way and kidnapped her by using a vehicle bearing registration no-TR 08-D-1523 .

4. After driving a while, FIR named accused took the victim minor girl to a rubber garden and raped her forcibly. When the minor girl started hue and cry, the FIR named accused person pressed her mouth. At around 2100 hrs at night, the FIR named accused dropped her nearby the house of one Gouranga Datta and fled away from the spot

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along with the said vehicle. Then minor girl, somehow, reached her home and disclosed the whole fact to her mother.

5. Based on the complaint of the mother of the girl, the Inspector Swapna Bhowmik, O/C Belonia Women PS registered the case and took up the investigation and during investigation she visited the place occurrence, examined vital witnesses, arranged for recording the statements of the victim girl under section 183(5) BNSS, arrested the FIR accused namely Prasenjit Muhuri, S/O- Sri Biplab Muhuri of Gajaria Dharmanagar, PS-Belonia, South Tripura and forwarded the accused before the Court. The accused was also taken into police custody and thoroughly interrogated. Investing Officer also arranged medical examination of the victim and the accused. The involved vehicle was seized and the biological exhibits of the victim and the accused were also sent to SFSL for examination. Investigation of the case is still in progress.

6. The report of the AIGP (Crime) clearly shows that the Belonia Women PS has already taken appropriate steps and matter is pending for investigation. The minor girl has become a victim of lust of a unscrupulous crime doer who took the benefit of loneliness and minority of the victim and forcefully kidnapped her and took her to a rubber garden and committed rape. This incident not only put a physical trauma on the victim but also left a social stigma on the victim and her family. Victim is a resident of Gajaria, Dharmanagar under Belonia PS which is village area of Belonia Sub-division. Ours is a welfare State. Of course law will take its own course but the Commission cannot ignore the social stigma of the victim and her family. Commission feels that the incident that has been committed on victim cannot be compensated in terms of money. It cannot ignore the pitiable condition of the victims family being subjected to such


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inhuman torture and atrocities who cannot lead a life with dignity and honour for such incident. Though no compensation can fully ameliorate the dishonour done to the victim by the fiendish act of the accused, even then by extending some financial assistance as a matter of solace and human gesture, the State Govt. may stand by her.

7. As such the Commission recommends that to partly alleviate her woes, the State Govt. may consider to sanction an amount of Rs. 2,00,000.00/- (rupees two lacs) for the subsistence of the minor girl of informant of Belonia Women PS case no.2024 WMN/2029, dated 15.09.2024. The amount may be deposited in a fixed deposit scheme to be opened in the name of the victim. Her actual name and address may be collected through the concern PS. With the above observation, this present complaint stands disposed of.

8. Copy of this order be sent to the Secretary, Home Department, Govt. of Tripura for information and compliance within the period of one month as per provisions of section 18(a)(i) of the Protection of Human Rights Act, 1993.

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

10. A copy of this order also be sent to the complainant and mother of the victim

11. A copy of this order may also be communicated to Secretary, National Human Rights commission for information.

List on ..05/02/2025..... for compliance report.


(**UDIT CHOUDHURI**)
MEMBER