

Matree Sansad Vs. State and ors.

Matree Sansad Vs. State and ors.

SooperKanoon Citation : sooperkanoon.com/1127012

Court : Orissa

Decided On : Feb-13-2014

Appellant : Matree Sansad

Respondent : State and ors.

Judgement :

W.P.CRL.

No.778 of 2013 Present : 10.

13.02.2014 Mr.Ajaya Mohanty, Adv.for the petitioner.

Mr.S.Das, Addl.

Govt.

Advocate for State.

This petition seeks direction to take steps for proper investigation into the death of Laxmipriya Patra, who was raped and murdered on 5th June, 2013 and to give compensation, employment and plot to the family members of the deceased.

According to the averments in the petition, the petition has been filed as Public Interest Litigation by the petitioner-society in respect of tragic incident in question, which was widely published in newspaperRs.The petitioner filed representation before the RDC (CD).Cuttack wherein the RDC asked the Superintendent of

Police, Puri for immediate action.

When there was failure on the part of the local police in conducting the proper investigation and failure on the part of the government in rehabilitating the family of the deceased, this petition has been filed.

Vide order dated 12.12.2013, this Court asked the learned Addl.

Government Advocate to take instructions with regard to compliance of order of the National Commissioner for Women which was brought to the notice of the Court.

An affidavit has been filed by the Additional Secretary to Department, Government on of 29.01.2014, Odisha in adverting the to Home the recommendation of National Commission for Women dated 26.08.2013.

It has been mentioned that the investigation has been completed, charge sheet has been filed on 5.9.2013 and the case has already been committed for trial -2- to the Court of Sessions Judge, Puri, who has framed the charges against the accused, who is in the custody.

The State Legal Services Authority has sanctioned a sum of Rs.1.50 lakh as compensation, out of which Rs.75,000/- has already been paid to the father of the deceased.

The Collector has paid Rs.10,000/- to the father of the deceased from the District Red Cross Fund.

A Special Public Prosecutor has been appointed to prosecute the case.

This Court has also directed the trial court to try the case on fast track basis.

Steps have been taken for formation of Special Women protection Force at Puri to check assaults on women.

Regular patrolling is being done by deploying PCR vehicles and all the field police officers are being sensitized to address crimes involving women on priority basis.

Steps have been taken to provide security in Puri sea beach.

100 posts of Nolia Home Guards have been created to protect the tourists.

Intensive Care Unit in Puri District Hospital has been established.

Mahila & Sishu Desk is functioning in all the 537 police stations of the State round the clock.

At present 12 Integrated Anti- Human Trafficking Units (IAHTU) are functioning and further 25 more IAHTU have been sanctioned by the Government.

A women cell has been created in all the districts.

In view of the above, we find that since after the investigation, the trial court has already commenced the trial and the same has been directed to be taken up on fast track basis, a Special Public Prosecutor has been appointed, the trial court with the help of that public prosecutor can look into all the relevant aspects of the - 3- matter and if any further direction is called for including the direction for any further investigation, summoning any other person who may be involved in the crime, that can be done in accordance with law by the trial court.

We are of the view that a further sum of Rs.1.00 lakh (one lakh) ought to be paid by the State as compensation to the father of the deceased.

A sum of Rs.75,000/-, which has been withheld, may also be paid to the father of the deceased, ignoring the alleged objections of the Orissa Association of Blind.

The Collector, Puri may ensure that the above compensation is paid within one month from the date of receipt of a copy of this order.

The petition is disposed of accordingly.

A free copy of the order be given to the learned Addl.

Government Advocate for compliance.

..... A.K.Goel, C.J.AD .Dr.

A.K.Rath, J.

SooperKanoon - India's Premier Online Legal Search - sooperkanoon.com