

**29.11.2024**

Item No.21  
Ct. No.35  
dc.

**W.P.A. 27950 of 2024**

**Basanti Murmu  
versus  
The State of West Bengal & Ors.**

Mr. Niladri Sekhar Ghosh,  
Mr. Debarshi Brahma,  
Mr. Jakir Sardar,  
Ms. Archita Pal ... For the Petitioner.

Mr. Susovan Sengupta,  
Mr. Tarak Karan ... For the State.

Mr. Surojit Roy ... For the Respondent No.10.

Affidavit-of-service filed in Court today be  
kept with the record.

Report submitted by the learned advocate  
appearing for the State be also kept with the record.  
A copy of the report be handed over to the learned  
advocate appearing for the petitioner.

The petitioner is aggrieved by the fact that  
she has informed the police station pursuant to  
which Dhaniakhali Police Station Case No.  
252/2024 has been registered for investigation  
under the relevant provisions of BNS as well as SC  
& ST (POA) Act, 1989. The petitioner complains  
that in spite of the case being under the Special  
Act, she has been receiving threats from the  
accused person.

State has submitted a report which reflects  
that case has been registered. On receipt of  
complaints, steps have been taken by the Deputy  
Superintendent of Police and appropriate

proceedings have been drawn up under Sections 126/135(3) of BNSS as also civil suit is pending in respect of the subject-matter of the property.

Be that as it may, since the case has already been registered by the police authorities under the relevant provisions of SC & ST (POA) Act, 1989 and as the petitioner complains of being threatened, the superior officer of the police and/or the Special Court would ensure that threat perception of the present petitioner is taken care of in consonance with the provision of 15A of the SC & ST (POA) Act, 1989. Needless to state that the legislature in its wisdom has incorporated the provisions for the purposes of protection of victims as well as the witnesses who are associated in criminal cases keeping in mind the concept of welfare legislation as well as for the upliftment of the marginalised citizens of the country.

The Special Court would take a report from the police authorities concerned in every 21 days and ensure that the fear or any other threat perception which has already instilled within the mind of the present petitioner is taken care of in consonance with the provisions of the Special Act.

With the aforesaid observations, the writ petition being WPA 27950 of 2024 is disposed of.

There shall be no order as to costs.

All concerned parties shall act on the server copy of this order duly downloaded from the official *website* of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

**(Tirthankar Ghosh, J.)**