

NOTE SHEET

File No. 41/25/13/2022

Dt: 08/09/2022

I have seen report of SDPO, Jangipur as forwarded by the Superintendent of Police, Jangipur in connection with the petition submitted by one Sk Md. Sahin Uz Zaman, Advocate of Calcutta High Court resident of Village Khojardanga, P.O. Nabagram, P.S. Nabagram, Dist. Murshidabad.

This report is very cryptic, wishy-washy and is attempted to hide the actual fact. No statement of the complainant has been recorded and forwarded to the Commission in violation of DGP's order regarding procedure of enquiry for the West Bengal Human Rights Commission.

Following points need immediate clarification:-

In the petition, the complainant has alleged that on 24.12.2021 he was travelling in a car when he was intercepted by a police vehicle at Ratanpore More near Sagardighi Railway Station under P.S. Sagardighi. However, this place of occurrence has not been established by any means. In the NCR it has been mentioned that the complainant along with four other persons were in drunken condition for creating nuisance and disturbing public peace and tranquility at Dhumarpahar.

Therefore, there is a lot of difference between the allegation of the complainant and their claim made in the NCR. No effort has been made to reconcile such important difference specially mentioned in the place of occurrence.

It has been mentioned in the NCR that the Complainant was in a drunken condition and sent to Sagardighi Super Speciality Hospital for medical checkup. In the emergency ticket, it is simply mentioned alcoholic by M.O. and no external or internal injury. It is not known how Medical Officer came to such conclusion while breath analyzer test or blood alcohol test were conducted.

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In absence of such tests how Medical Officer has come to such a conclusion ?

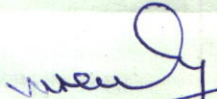
Statement of Medical officer clarifying this point should be submitted to Commission forthwith.

In the NCR it is mentioned that the complainant was prosecuted vide Sagardighi PS NCR No. 2066/2021 dated 25.12.2021 u/s 42 Cr. PC/ 290 IPC. In the NCR Prosecution it is mentioned that accused had given wrong name and address. However, in Column No.2 of NCR name of the accused has been mentioned as Sk. Mohammad Shahiuzzaman, age 30 years, s/o. Safatullah Sk. residing at Popara, P.S. Sagardighi, Dist. Murshidabad. It is not understood while the prosecuting officer ASI Proloy Kr. Saha one one hand mentions in the NCR that the accused refused to disclose name and address on the other hand the ASI writes the actual name, father's name & address in Column 2 of NCR ?

The West Bengal Human Rights Commission is constrained to observe that the report of SDPO, Jangipur is not acceptable and is not worthy of credit.

Superintendent of Police, Jangipur is directed to conduct a detailed enquiry by an Additional S.P. level officer in which recorded statements of complainant, Medical Officer, arresting ASI, Vehicle number of complainant should be submitted to West Bengal Human Rights Commission by 25/09/2022.

The Ld. Registrar is directed to send the orders of the Commission by e-mail today.


(N. Mukherjee) 8/9/2022
Member