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HIGH COURT CALCUTTA

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Bar Association Room No. 4

To,
The Learned Government Pleader,
High Court at Calcutta.

Re: W.P.A. (P) 594 of 2022
Association for Protection of Democratic
Rights (APDR) & Another
-Versus-
The State of West Bengal and
others.

Dear Madam/Sir(s),

Please find enclosed herewith a copy of the above mentioned writ petition along with all its annexure which has been filed before the Hon'ble High Court at Calcutta on behalf of the petitioners on 29.22.2022 and it is likely to be taken up for hearing before His Lordships the Hon'ble Chief Justice Prakash Shrivastava and Hon'ble Mr. Justice Rajarshi Bharadwaj. The matter will appear on 06.12.2022 or as soon as the business of the Hon'ble Court permits.

This is for your kind information and necessary action.

Thanking you,

Yours faithfully,

Srimoyee Mukherjee
Advocate

Enclosed: As above 30/11/2022

DISTRICT – SOUTH 24 PARGANAS

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

W. P. A. (P) 594 of 2022

In the Matter of:

Association for Protection of
Democratic Rights (APDR) and
Anr

.....Petitioners

-Versus-

State of West Bengal &Ors

.....Respondents

SYNOPSIS

Four under trial persons died an unnatural death while in the custody of the state authorities over a period of less than 5 days in the same district correctional home, namely Baruipur Correctional Home, South 24 Parganas. The said persons were picked up by the police authorities on the allegation of being connected with separate criminal cases. When the family members met them in custody, they were informed by the inmates that they were fine but soon thereafter the information of their deaths reached the family members. The post mortem report indicates physical violence on all the deceased. It is the duty of the State authorities to explain the reason for such injury and subsequent death of the individuals who were in their custody at the relevant point of time.

The petitioners, being Association for Protection of Democratic Rights (APDR) and its general secretary, are committed to highlighting and to bring to the judicial notice how the personal modesty, decency, dignity on arrest of a person, both in police as well as judicial custody, is increasingly exposed to third-degree practices which, as in this case, has led to their death.

SHORT LIST OF DATES

- 24.07.2022 : Abdul Rajjak Dewan resident of village Kurali, aged about 34 years, was randomly picked up from his home and taken into custody by few police personnel from Baruipur Police Station.
- 25.07.2022 : (a) Jiyaul Laskar of village Ghutiari, Subhas Pally, aged about 36 years, left home to visit his friend around 4:30pm and since then went missing.
(b) Abdul Rajjak Dewan was produced before the Court of the Learned Additional Chief Judicial Magistrate, Baruipur, South 24 Parganas.
(c) Saidul Munshi, aged about 33 years of Santoshpur, was taken by Maheshtala Police Station from his home with the assurance that he will be released within few hours after interrogation by the officer in charge.
- 26.07.2022 : Jiyaul Laskar was produced before the Court of Learned Additional Chief Judicial Magistrate, Baruipur, South 24 Parganas.
- 27.07.2022 : (a) Rajjak's wife met him in correctional home and found him to be in good health.
(b) Jiyaul Laskar met his wife in correctional home.
- 28.07.2022 : Jiyaul called his wife from jail secretly and asked for money and also gave a Google Pay number to send it.
- 30.07.2022 : Abdul Rajjak Dewan's family was informed that the condition of his health deteriorated and he was admitted in Baruipur Hospital. Thereafter his family went to hospital and found him dead and his body was covered with marks of bruises.
- 01.08.2022 : Saidul Munshi was admitted in Baruipur hospital.
- 02.08.2022 : (a) The family of Jiyaul Laskar was informed by the police that he was admitted in Baruipur Hospital and subsequently he died.
(b) Saidul Munshi died.
(c) The family of Akbar Khan was informed by Bishnupur police station about his death.

DISTRICT - SOUTH 24 PARGANAS

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

W. P. A. (P) 594 of 2022

Subject matter relating to
Writ in the nature of
Mandamus demanding
appropriate investigation with
regard to death of four under
trial prisoner in Baruipur
Correctional Home

Under GROUP : IX, HEAD :
of the classification list

Cause title :

Association for Protection of
Democratic Rights (APDR) &
Anr.

..... Petitioners

-Versus-

The State of West Bengal &
Ors

..... Respondents

Advocate-on-Record

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(1)

DISTRICT – SOUTH 24 PARGANAS

IN THE HIGH COURT AT CALCUTTA
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.....Respondents

LIST OF DATES

- 24.07.2022 : Abdul Rajjak Dewan was randomly picked up from his home and taken into custody.
- 25.07.2022 : (a) Jiyaul Laskar left home to visit his friend around 4:30pm and since then went missing.
(b) Abdul Rajjak Dewan was produced before the Court of the Learned Additional Chief Judicial Magistrate, Baruipur, South 24 Parganas.
(c) Saidul Munshi was taken by Maheshtala Police Station from his home.
- 26.07.2022 : Jiyaul Laskar was produced before the Court of Learned Additional Chief Judicial Magistrate, Baruipur, South 24 Parganas.

(II)

- 27.07.2022 : (a) Rajjak's wife met him in correctional home.
(b) Jiyaul Laskar met his wife in correctional home.
- 28.07.2022 : Jiyaul called his wife from jail secretly and asked for money.
- 30.07.2022 : Abdul Rajjak Dewan's family went to Baruipur hospital and found him dead and his body was covered with marks of bruises.
- 01.08.2022 : Saidul Munshi was admitted in Baruipur hospital.
- 02.08.2022 : (a) The family of Jiyaul Laskar was informed by the police that he died in Baruipur Hospital.
(b) Saidul Munshi died.
(c) Akbar Khan's family was informed by Bishnupur police station about his death.

(III)

DISTRICT – SOUTH 24 Parganas

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

W. P. A. (P) 594 of 2022

In the Matter of:

Association for Protection of
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.....Petitioners

-Versus-

State of West Bengal &Ors

.....Respondents

POINTS OF LAW

- I. Whether the unnatural death of four under trial prisoners belonging to the minority community is an alarming incident which needs judicial intervention by this Hon'ble Court?
- II. Whether these four unnatural deaths of under trial prisoners is highly suspicious with regard to the dates of arrest and the dates of their death?
- III. Whether the custodial violence and unnatural death in correctional home violates of Article 14 and 21 of the Indian Constitution?

(IV)

- IV. Whether the whimsical detention and torture which eventually causes death of under trial prisoners amounts to an infringement of the guideline issued by the Hon'ble Supreme Court in case of arrest and detention of a person?
- V. Whether or not an independent judicial inquiry committee is required to be formed to ascertain the truth behind the loss of four human lives?
- VI. Whether or not adequate amount of compensation is required to be awarded to the next to kin of the deceased?

DISTRICT: SOUTH 24 PARAGANAS

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

W.P.A(P) No. 594 of 2022

In the matter of:

An application under Article
226 of the Constitution of
India.

-And-

In the Matter of:

1. Association for Protection
of Democratic Rights (APDR),
18 Madan Baral Lane, Kolkata
700012, represented by its
General Secretary, Ranjit Sur,
Son of Late Sudhir Chandra
Sur.

2. Ranjit Kumar Sur, Son of
Late Sudhir Chnadra Sur,
36/6 Hind Road, New
Santoshpur, Kolkata 700075

.....Petitioners

-Versus-

1. Government of West Bengal service through the Secretary, Home department, Government of West Bengal, Nabanna, 325, Sarat Chatterjee Road, Shibpur, Mandirtala, Howrah -711102;
2. West Bengal Correctional Services, service through the Inspector General of Correctional services, Jessop Building, 63, Netaji Subhas Road, Kolkata, West Bengal 700001;
3. Superintendent, Baruipur Correctional Home, Chakarberia Road, Chakar Bar, West Bengal 700145
4. Chief Controller of Correctional Services, Baruipur Correctional Home, Chakarberia Road, Chakar Bar, West Bengal 700145;
5. Superintendent of Police, Baruipur, South 24 paraganas.

6. Inspector-in-Charge,
Baruipur Police Station,
Baruipur - Kulpi Rd,
Beharapara, Baruipur, West
Bengal, PIN -700144;

7. Inspector-in-Charge,
Maheshtala Police Station,
Jagtala, Budge Budge,
Kolkata, West Bengal, PIN -
700140;

8. Inspector-in-Charge
Bishnupur Police Station, Bara
Gagan Gohalia, Bishnupur,
West Bengal, PIN - 743503.

.....Respondents

To

The Hon'ble Prakash Shrivastava, Chief Justice and his
Companion Justices of the said Hon'ble Court.

The humble petition on behalf
of the petitioners abovenamed;

Most Respectfully Sheweth:

1. The petitioner no.1 herein is a non-governmental
organization, the oldest active civil and democratic rights
organization in the country and is represented by its general
secretary, Ranjit Kumar Sur. The petitioner no.1 herein is

working in West Bengal since 1972 and it aims at safe, peaceful, dignified and torture free life of people. The petitioner no. 1 herein champions the cause of protection and promotion of human rights, democratic rights and civil liberties of the people. The petitioner no. 1 herein has espoused causes and interests of the people as well as causes of better and democratic function of public administration and affairs of the state with honesty and sincerity. The petitioner no. 1 herein has brought various issues of public interest to the notice of this Hon'ble Court especially where the state has failed and/or neglected to discharge its Constitutional and legal obligation to protect and secure the interest of its citizens.

2. The petitioner no. 2 herein is presently aged about 67 years, by profession a retired bank employee, and is presently residing at the address given in the cause title. He is a law-abiding citizen of India devoid of criminal antecedents, a public spirited individual and a known Human Rights Activist who also contributed writings in various newspaper and journals with regard to human rights issues. He also happens to be the General Secretary of petitioner no. 1 herein.

3. That the petitioners herein are constrained to invoke the writ jurisdiction of this Hon'ble Court in public interest, inter alia, seeking measures to take cognizance of and devise method of rudiment for investigation pertaining to mysterious and unnatural death of four under trial prisoners while being in custody which cannot be considered as mere coincidence.

4. That on 24.07.2022, one Abdul Rajjak Dewan resident of village Kurali, aged about 34 years, was randomly picked up from his home and taken into custody by few police personnel from Baruipur Police Station. On being asked, the police never said anything clearly or at all. Abdul, who was into poultry business in Bihar, came to his home from Bihar for the occasion of Eid, was produced before the Court of Learned Additional Chief Judicial Magistrate, Baruipur, South 24 Parganas on 25.07.2022 and he was given 14 days judicial custody for offence under sections 399/402 of the Indian Penal Code 1860. His wife visited him in correctional home on 27.07.2022 and he was perfectly fine at that point of time. On 30.07.2022, his family was informed that the condition of his health deteriorated and he was admitted to Baruipur Hospital. Thereafter his family went to the hospital and found him dead and his body was covered with marks of sore and bruises. The hospital informed that he died the night before and on being asked the reason of death, the police misbehaved with the family members and intimidated them.

5. On 25.07.2022, Jiyaul Laskar of village Ghutiari, Subhas Pally aged about 36 years, left home to visit his friend around 4:30pm and since then went missing. Next day his wife went to Police Station and after much harassment came to know that her husband was arrested along with two others and they were severely assaulted while taking into custody. On 26.07.2022 he was produced before the Court of learned Additional Chief Judicial Magistrate Baruipur, South 24 Parganas and he was already limping at that time as he was beaten up. Thereafter he

was remanded to judicial custody for offence under sections 399/402 of the Indian Penal Code 1860. On 27.07.2022, his wife visited him in correctional home and he informed her that he was fine. Further on 28.07.2022, Jiyaul called his wife secretly from the correctional home and instructed her to send him money through google pay in a particular number and his wife followed his instruction. Since then, there was no contact with Jiyaul and finally on 02.08.2022, his family was informed by the police that he suddenly became sick and was admitted in Baruipur Hospital and subsequently he died. Thereafter his family went to the hospital but at first, they were refused access to the body and after much altercation and harassment they were permitted to see the body. His body was also full of multiple bruises.

It is pertinent to mention here that the other two co accused who were granted bail informed that Jiyaul was taken to hospital and there he was terribly tortured for 2 days continuously. He was beaten with wooden sticks while his hands tied with bed and boiling hot water was also poured in his body. Subsequently he died. The two co-accused were regularly threatened with dire consequences by the police each time they visited Baruipur Police Station for attendance. It is also pertinent to mention herein that the wife of the deceased lodged a complaint before the Learned Additional Chief Judicial Magistrate Baruipur, South 24 Parganas that her husband was tortured and beaten up to death by the police while in custody and the Court ordered to visually record the whole process of inquest in the presence of the Learned Magistrate and at least two persons from the family

members but nothing like this happened at all. The family members were misguided throughout the procedure and according to them nothing like that happened in reality as they were purposely harassed and they were never permitted to be present during the said procedure.

6. On 25.07.2022, Saidul Munshi, aged about 33 years of Santoshpur was taken by Maheshtala Police Station from his home with the assurance to be released within few hours after interrogation by the inspector in charge. But he never returned and next day his wife was harassed by the police in every possible way firstly in Jinjira Bazar police station and then at Maheshatala police station and finally after bribing them she was allowed to meet her husband. Saidul told that he was brutally beaten for the whole night. On being asked the police informed that a 'Bhojali' was recovered from him but his family members claim that he was taken from home while having dinner and nothing was under his possession at that time. Saidul was pounded in front of his wife and was taken to Vidyasagar Hospital. Thereafter he was taken to Court of Learned Additional Chief Judicial magistrate and on the way, he was mercilessly kicked by the police. His wife was informed that he was granted judicial custody and that was the last time his family saw him. On 02.08.2022, Saidul's family was informed that he was admitted to hospital the day before. After reaching to the hospital his family discovered him lying naked on urine covered with bruises on whole body but he was alive at that time without any treatment. The doctor suggested to admit him in ICU due to his critical condition but the police denied. They also

requested to admit him in private hospital but nothing happened and he subsequently died without treatment.

7. The last victim of this atrocious activity by police also belonged to the minority community. Akbar Khan, aged about 40 years went missing for 10-12 days. His family was never informed about his arrest. On 02.08.2022, his family was informed by Bishnupur police station about his death and his family also noticed that his body was covered with marks of bruises indicating the cruelty he suffered for days which caused his death.

8. Pursuant to the abovementioned facts, a terrible picture is displayed with regard to the condition of the correctional home in West Bengal. Four persons arrested by the police from different police station under similar charges under sections 399/402 of the Indian Penal Code 1860 within jurisdiction of Baruipur Sub Division and all of them died between 30.07.2022 to 02.08.2022 while in custody. Nothing was informed to their respective families about their health, the episode of admitting them to hospital and in some cases their family members never knew that they were arrested. The family members have not been issued a memo of arrest nor was the next of kin informed as is required to be done in accordance with law.

9. The petitioners state that the admitted fact is that the deceased persons were arrested and they were produced before the court of Learned Additional Chief Judicial Magistrate, Baruipur, South 24 Parganas, thus the burden is on the respondents to explain how the four person sustained injuries

all over their bodies which caused their death. Therefore, unless a cogent and rational explanation is given by the respondents which is coherent with their innocence, the obvious conjecture is that the fatal injuries were inflicted upon these persons while in custody resulting in their death, for which the respondent authorities ought to be made answerable and to be held accountable.

10. The petitioners state that it is really unfortunate to witness custodial violence and unnatural deaths in a democracy but also this vibrant democracy permits to debate and discuss these issues with rational arguments. However, any dialectic conclusion cannot be achieved unless persons in authority hear the voices of the victims or the silence of the dead and the helpless condition of these families who suffer this everlasting loss and trauma induced by the police authority. There must be a greater degree of sensitivity among those in authority with regard to persons in custody. According to Article 21 of the Constitution, the dignity of the individual in custody is not a plaything for those in authority.

11. The petitioners submit that the arbitrary detention and subsequently infliction of third-degree torture violates personal modesty and dignity of under trial prisoners. The Hon'ble Supreme Court, in the landmark judgment of Smt Nilabati Behera @ Lalit Behera Vs. The State of Orissa 1993 Supreme Court Cases (vol 2) page 746, observed that "... This Court has time and again emphasized the importance of Article 21 of the Constitution and the right to a life of dignity. There must be a

genuine desire to ensure that the guarantee to a life of dignity is provided to the extent possible even in prisons, otherwise Article 21 of the Constitution will remain a dead letter. It must be appreciated by the State that the common person does not violate the law for no reason at all. It is circumstances that lead to a situation where there is a violation of law. On many occasions, such a violation may be of a trivial nature or may be a one-time aberration and, in such circumstances, the offender has to be treated with some degree of humanity. At least in such cases, retribution and deterrence cannot be an answer to the offence and the offender. Unless the State changes this mindset and takes steps to give meaning to life and liberty of every prisoner, prison reforms can never be effective or long lasting..."

12. The petitioners submit that the ambiguity regarding the mysterious death of these under trial prisoners also made their families victim. They were vexed, insulted, extorted and even given indecent proposals considering their helplessness and destitute conditions. These four persons who belonged to the minority community, they were the earning members of the family and have children who are in dire straits now.

13. Further, the International Committee for Red Cross (ICRC) gave guidelines on investigating death in custody. According to the guideline, it is the duty of the State to ensure, respect and protect the life of persons within jurisdiction including persons in custody and no one may be deprived of right to life whimsically. It is mentioned in the guideline that in case of death of a person in prison, thorough investigation should

proceed in regard to facts related to such death, the manner, place and time of death and also the involvement of all those implicated in the death. According to the ICRC, 'death' is the irreversible cessation of all vital functions, including brain activity. Death is 'natural' when it is caused solely by disease and/or the aging process. It is 'unnatural' when its causes are external, such as intentional injury (homicide, suicide), negligence or unintentional injury (death by accident).

14. The ICRC has categorically mentioned about the procedures to be followed in case of custodial death in a framework which covers every procedure that need to be proceed by the authorities. It has mentioned that investigation of custodial death must be concluded considering the legal aspect and the medical and forensic aspect. Investigation must be done with regard to proper maintenance of death scene including management of the death scene and body. Most importantly, there is also a clear and vivid procedure for conducting the Post Mortem examination. The Post Mortem examination is to determine and record the identity of the deceased, the estimated time of death and most importantly the cause of death which in this instant case is not clearly mentioned. The Post Mortem report also helps to determine the manner of death whether natural, suicidal, accidental, homicidal or unnatural followed by the sequence of event that may have led to the death.

15. The petitioners submit that this horrible incident which ultimately caused death of 4 persons in custody at Baruipur Correctional Home requires a just, fair and impartial

investigation. Even the Post Mortem report is not clear. The opinion of the Medical Officer regarding the cause of death is kept pending. According to the National Human Rights Commission (NHRC), certain instructions need to be followed while sending post-mortem reports in cases of custodial death. In order to streamline the procedure, the NHRC issued certain instructions and among them were the following:

- A. The post-mortem report along with the videography and the magisterial enquiry report must be sent to the NHRC within two months of the incident.
- B. The post-mortem report should be sent in the proforma attached to the letter dated 27th March, 1997.
- C. The magisterial enquiry into a custodial death should be completed as soon as possible but within a period of two months.

(RE: Inhuman Condition 1382 prisons vs. State of Assam and ors in connection with Writ Petition (Civil) Nos. 406 of 2013.)

Photocopies of the post mortem reports of the deceased persons namely Saidul Munshi and Akbar Khan @ Khokan are annexed hereto and collectively marked "p-1".

Your petitioners crave leave to refer to the post mortem reports of Abdul Laskar Dewan and Jiyaul Laskar at the time of hearing, if necessary.

16. The petitioner submits that the Hon'ble Apex Court framed a guideline in the oft quoted judgment of D.K Basu vs. State of West Bengal (as reported in 1997 Supreme Court Cases (criminal) page 92), which need to be followed while arresting a person. In the said guideline it was mentioned that the arrestee should be subjected to medical examination by the trained doctor every 48 hours during his detention in custody by a doctor on the panel of approved doctors appointed by Director, Health Services of the concerned State or Union Territory, Director, Health Services should prepare such a panel for all Tehsils and Districts as well. Considering the abovementioned guideline, the records of post arrest medical report of the deceased need to be produced before this Hon'ble Court for a just adjudication of the instant matter.
17. The petitioner submits that in case of one of the deceased, Akbar Khan, who went missing and his family members were completely unaware of his whereabouts and the aforesaid guideline (D.K. Basu) was never followed while arresting him. His family members were only informed after his death. As per the guideline, a person who is detained is entitled to have at least one person known to him, informed about his arrest and preparation of the memo of arrest is mandatory.
18. The petitioner also submits that Rule 71 of Nelson Mandela Rules is very pertinent in the instant petition. The Rule conveys that in case of any custodial death, disappearance or serious injury shall be reported without delay to a judicial or other competent authority that is independent of the prison

administration. But the steps taken by the correctional home authority is under question. Deputations were given by the petitioner to the Inspector General, Correctional Home on and to the Hon'ble Minister of West Bengal in charge of Correctional Homes on 10.08.2022 but till date no proper information was received from their part.

19. The Petitioner submits that the death of four persons in custody cannot be mere coincidence. The most suspicious part of the whole incident is that four persons, all belonging to the minority community, aged between 30-40 years, were taken into custody in connection with same offence under section 399/402 of the Indian Penal Code 1860 in four separate cases and all of them died between 30.07.2022 to 02.08.2022. Their family members were never informed about any kind of illness or ill health of the said deceased persons. The most disturbing and alarming fact that Akbar Khan who is one of the deceased, his family received the news of his death and they had no prior knowledge that he was arrested. Further, all the family members witnessed bruises and clear mark of assault all over their bodies. All these were categorically mentioned in the deputation submitted by the petitioner.

Your petitioners crave leave to refer to such deputations at the time of hearing, if necessary.

20. The petitioner submits that 4 unnatural deaths in within a short span of time in the same jurisdiction cannot be an undiluted coincident. It is a very doubtful that three or four separate group of miscreants consisting of all different

individual, planned dacoity under same sub division, during the same period of time. The whole process was draped and contrived by the police personnel for some unknown grudge towards the deceased. Therefore, a judicial enquiry is necessary to ascertain the truth and to bring the perpetrators to justice.

21. The petitioner submits that the unnatural death of for under trial prisoners in same correctional home is very much alarming and shocking. It is not within the knowledge of the petitioners whether till date, any judicial inquiry has been initiated. From the post mortem reports of the deceased, it transpires that in each incident an unnatural death case was initiated in accordance with law. In the case of Abdul Raja Dewan, it is U.D. case no. 175/22 dated 30.07.2022. In the case of Jiyaul Laskar it is U.D. Case no. 180/22 dated 02.08.22. In the case of Saidul Munshi it is U.D. Case no. 181/22 dated 03.08.22. In the case of Khokan Khan @ Akbar it is U.D. Case no. 178/22 dated 01.08.22. It is therefore prayed, that the details of the said case records be called for to determine the extent and nature of such inquiry.

22. The Hon'ble Supreme Court opined in the landmark judgment of Smt Nilabati Behera @ Lalit Behera Vs. The State of Orissa (supra) that "... a claim in public law for compensation' for contravention of human rights and fundamental freedoms, the protection of which is guaranteed in the Constitution, is an acknowledged remedy for enforcement and protection of such rights, and such a claim based on strict liability made by resorting to a constitutional remedy provided for the enforcement

of a fundamental right is 'distinct from, and in addition to, the remedy in private law for damages for the tort' resulting from the contravention of the fundamental right. The defense of sovereign immunity being inapplicable, and alien to the concept of guarantee of fundamental rights, there can be no question of such a defense being available in the constitutional remedy. It is this principle which justifies award of monetary compensation for contravention of fundamental rights guaranteed by the Constitution, when that is the only practicable mode of redress available for the contravention made by the State or its servants in the purported exercise of their powers, and enforcement of the fundamental right is claimed by resort to the remedy in public law under the Constitution by recourse to Articles 32 and 226 of the Constitution. ..."

23. Being aggrieved by and/or being dissatisfied with the unnatural deaths of four undertrial prisoners and the lack of transparency regarding the cause of such deaths, the petitioners beg to move the instant application in public interest inter alia on the following amongst other -

GROUND

- I. For that the right to life under article 21 of the constitution of India is an unalienable right and is one of the most important fundamental rights of citizens of India.
- II. For that even a suspect or a convict cannot be deprived of their right to life without the due process of law and any contravention thereof by the functionaries of the State ought to be dealt with strictly by the constitutional court.

- III. For that the violation of constitutional rights of the citizens of India is to be looked into by the constitutional court and take necessary steps to ensure protection of the same.
 - IV. For that the non-compliance of the directions of the Hon'ble Supreme Court regarding the procedure of arrest and regarding prevention of any custodial violence by the executive strikes at the very root of a democratic set up.
 - V. For that this Hon'ble Court has time and again upheld the constitution and the rights of its citizens and has strictly dealt with any violation thereof.
 - VI. For that the family members of the deceased are from a economically backward class as well as from the religious minority community and they do not have the means to approach this court for a remedy.
 - VII. For that it is imperative to conduct an independent judicial enquiry into the unnatural deaths to ascertain the cause behind such death and to bring the perpetrator justice.
24. The petitioners crave leave to take such other or further grounds that may be available to the Petitioners at the time of hearing of the instant case.
25. The petitioners state that the cause of action is within the aforesaid jurisdiction of this Hon'ble Court.
26. The petitioners have a prima facie case as the aforesaid incident of unnatural death strikes at the very ethos of the

Constitution of India and is violative of the Right to Equality and Right to Life guaranteed under Articles 14 and 21 of the Constitution of India respectively.

27. The petitioners state that no application has been filed earlier or at all before this Hon'ble Court or any Court of Law on the self-same cause of action and seeking the same relief by the petitioners.

28. The petitioners state that there is no alternate or efficacious remedy is available to the petitioners than to approach this Hon'ble Court and the relief prayed for herein are adequate relief.

29. The instant application has been filed for the interest of the public, especially the under-trial prisoners and the families who suffered due to custodial death of their close ones in the State of West Bengal and the petitioners have no private interest involved in the instant matter.

30. The instant petition is made bona fide and for the ends of justice.

In the circumstances as narrated hereinabove, it is most respectfully prayed that Your Lordships may graciously be pleased to passed the following amongst other orders:

(a) (i) That a writ be issued in the nature of Mandamus thereby directing the police authorities to register a case under appropriate provisions of the Indian Penal Code, 1860 and to forthwith hand over the investigation to the Central Bureau of Investigation for an independent inquiry into the cause of death of the undertrial prisoners;

(a) (ii) Alternatively, a direction be passed thereby directing the constitution of a committee headed by a Hon'ble retired Judge of this Hon'ble Court to inquire into the death of four under trial prisoners as aforesaid and such inquiry must be proceeded with under the supervision of this Hon'ble Court;

(b) That a writ be issued in the nature of Certiorari thereby directing the Respondent Authorities to

forthwith produce all documents relating to the aforesaid incident, including the documents relating to memo of arrests, post arrest medical examination reports, the post mortem reports, the records relating to the unnatural death cases, records relating to internal inquiry, if any, before this Hon'ble Court for a just and proper adjudication;

(c) That a writ be issued in the nature of Mandamus thereby directing the Respondent Authorities to submit a report to show cause as to why arrest protocol as directed by the Hon'ble Supreme Court were not followed while arresting the deceased persons without any notice to the family;

(d) That a writ be issued in the nature of Mandamus thereby directing the State

Government to take necessary steps to compensate the family of the deceased with adequate compensations;

(e) Rule Nisi in terms of prayers (a) to (d)

(f) Costs

(g) Such other order and/or orders as your Lordships may deem fit and proper.

And for this act of kindness, your petitioner as in duty bound shall ever pray.

AFFIDAVIT

I, Ranjit Kumar Sur, son of Late Sudhir Chandra Sur, aged about 67 years, by faith- Hindu, by occupation: retired from service, resident of 36/6 Hind Road, New Santoshpur, Kolkata 700075, do hereby solemnly affirm and say as follows:-

1. I am the petitioner no. 2 and have been duly authorized to swear and affirm this affidavit for and on behalf of petitioner no. 1 as well as for self.
2. I am well conversant with the facts and circumstances of the instant case and am competent to affirm thereto.
3. That the statements contained in paragraphs 4 to 7, 12 of the petition are true to the best of my knowledge and belief, those contained in paragraph nos. 8, 9, 15, 19, 21 are matters of record which I duly verified and verily believe to be true and rest are my respectful humble submissions before this Hon'ble Court.

Prepared in my office

Sd/- S. Mukherjee

Advocate.

Enl.No.

I certify that all annexure are legible

Advocate

Solemnly affirmed before me on
this the 27th day of November, 2022.

Notary Public

Sd/- Ranjit Kumar Sur,
DEPONENT

Identified by me,

Sd/- S. Mukherjee

Advocate

POST - MORTEM REPORT - 23 - Annexure P1

(P.R.B. Form No. 55 - Vidya Rule 284)
ORIGINAL

no. 440/ Barulpur P.S.

STATION: KOLKATA POLICE MORGUE
DATE: - 03RD DAY OF AUGUST, 2022

P.M. No. 438/2822, DATE: - 03/08/2022

Ref: JORASANKO P.S. G.D.E. no. 236, dated 03/08/2022 and

BARULPUR P.S. G.D.E. no. 273, dated 03/08/2022 & U.O. case no. 181/22, dated 03/08/2022.

Name, sex, age, caste	Whence brought - village and Thana	Name of constable by whom brought and names of relatives accompanying	Date and hour of			Information furnished by Police	By whom identified before the Medical Officer
			Dead body received	Papers received	Examination		
SAIBUL MUNSHI S/o Siddik Munshi, Male, Aged 33 years, Muslim.	Barulpur P.S.	C/214 Joydeb Kayal of Barulpur P.S., and Reshma Bibi, wife of the deceased	06:00PM, 03/08/2022	06:05PM, 03/08/2022	Started at 07:05PM, 03/08/2022, Completed at 09:35PM, 03/08/2022	Saidul Munshi, resident of Santoshpur, Bazar Para, P.S. Maheshata, District: South 24 Parganas, was an under-trial prisoner of Barulpur Central Correctional Home in c/w Maheshata P.S. case no. 381/22 since 26/07/2022. He was admitted at Barulpur Sub Divisional Hospital on 01/08/2022. He expired there on 03/08/2022 at 04:00AM.	(i) Dipendu Pal, PSI of Barulpur P.S., (ii) Suraj Kumar Chowdhury, warden of Barulpur Central Correctional Home; (iii) Reshma Bibi, wife of the deceased; (iv) Satma Bibi, sister of the deceased.

N.B. - Observe the state of all the organs and when no disease or injury is found write "Healthy"

1. Condition of Subject - stout, emaciated, decomposed, etc.	2. Wounds - position, size, character.	3. Bruises - position, size and nature.	4. Marks of ligature on neck, dissection, etc.
Body length 163cm, one thin-built dead body of a male subject having dark complexion; scalp hair 8cm long, black in colour; beard and moustache 1.5cm long, both black in colour. Wearing apparels - (i) one white colored dhoti, (ii) one adult diaper. Rigor mortis is present all over the body. Postmortem staining is present on dependent parts of the back except over pressure points with contact flattening. Multiple old healed scar marks of varying lengths are present over flexor surfaces of right forearm involving an area of 18cm X 6.5cm and left forearm involving an area of 16.5 X 6.5cm. Evidence of hyperpigmentation measuring 18cm X 7.5cm noted over an area involving right buttock, intra-groinal cleft and a portion of left buttock.	Injuries: (1) One abrasion, 8.8cm X 0.5cm, placed over ulnar border of left wrist joint. (2) Multiple abrasions, 5 in number, sizes varying from 0.5cm X 0.5cm to 1cm X 0.8cm, involving an area of 6cm X 4cm placed over dorsal aspect of left wrist joint. (3) One abrasion, 2.5cm X 1cm, placed over lateral 2cm proximal to right medial epicondyle. (4) One abrasion, 8.2cm X 8.2cm, placed over lower part of medial border of right arm medial epicondyle. (5) One abrasion, 8.5cm X 0.5cm, placed over lower part of medial border of right arm medial epicondyle. (6) One abrasion, 8.8cm X 8.5cm, placed over right medial epicondyle. (7) One abrasion, 2.5cm X 8.5cm, placed over lateral border of right arm 5cm proximal to right lateral epicondyle. (8) One abrasion, 2.3cm X 0.5cm, placed over ulnar border of right forearm, 5cm distal to right medial epicondyle. (9) One abrasion, 2cm X 0.5cm, placed over ulnar border of right forearm, 4cm proximal to lower end of right ulna. (10) One abrasion, 0.8cm X 5 in number, sizes varying from 0.1cm X 0.1cm to 0.7cm X 0.2cm, placed over lateral aspect of right knee joint. (11) Multiple abrasions, (12) One abrasion, 0.5cm X 0.5cm, placed over anterior aspect of right ankle joint. (13) One abrasion, 2.5cm X 0.5cm, placed over anterior aspect of right ankle joint. (14) One abrasion, 2.5cm X 0.2cm, placed over lateral aspect of left foot, 2.5cm distal to left lateral malleolus. (15) One abrasion, 0.5cm X 0.5cm, placed over posterior aspect of left ankle joint, 5.5cm above left heel. (16) One abrasion, 0.5cm X 8.5cm, placed over medial surface of left leg, 6.5cm distal to left distal head. (17) One linear abrasion of 4cm length, placed obliquely over upper part of left posterior chest wall with its upper end 2.5cm left to posterior midline and 13cm distal to external occipital protuberance. (18) One abrasion, 18cm X 1.5cm, placed over left posterior chest wall with its upper end 10cm vertically above left iliac crest. (19) One abrasion, 2.5cm X 0.5cm, placed over right posterior upper and 11cm right to posterior midline and 9cm distal to tip of right acromion process. (20) One abrasion, 8cm X 8.5cm, placed over right posterior chest wall with its right posterior abdominal wall with its upper end 5cm right to posterior midline and 2.5cm distal to lower end of right scapula. (21) One lacerated wound measuring 3cm X 0.5cm X subcutaneous tissue, placed obliquely over right posterior abdominal wall almost overlying posterior portion of iliac crest with its upper end 2.5cm right to posterior midline. (22) One lacerated wound measuring 14cm distal to right iliac crest and 11cm right to posterior midline. On dissection: (23) One abrasion, 4cm X 0.5cm, placed over lateral aspect of right buttock with its upper end posterior aspect of left forearm, 2.5cm distal to left lateral epicondyle. (24) Extravasation of blood measuring 9cm X 3cm, diffused over frontal region of scalp. (25) Sub-arachnoid haemorrhage measuring 6.5cm X 3cm, over right occipital lobe. All the injuries are ante-mortem, show evidence of vital reaction. Abrasions are covered with reddish-brown coloured scab. Extravasation of blood are reddish-blue in colour. Lacerated wound has irregular margin with extravasated blood in and around. No other external or internal injury could have been detected on thorough, precise and careful observation, dissection and examination.		

1. Scalp - Skull and Vertebrae.		2. Membrane.		3. Brain and Spinal Cord - (The spinal canal need not be examined unless any indication of disease of injury exists.			
Scalp: as noted, Skull & vertebrae: Intact.		Pale.		Brain: Pale & oedematous. Wt: 1286gms, Spinal cord: Intact.			
1. Walls, ribs and Cartilage	2. Pleurae	3. Larynx and Trachea.	Right Lung	Left Lung	Pericardium	Heart	Vessels
Walls: as noted, Ribs & cartilages: Intact	Both pleurae are found pale, thickened and also found adhered to the adjoining thoracic cage at places on right side.	Mucous membrane: Pale, Hyalid bone & thyroid cartilages: Intact.	Wt. of right lung: 482gms, Wt. of left lung: 379gms. Both lungs are pale with evidences of consolidations at places; On sectioning, there is exudation of frothy fluid mixed with pus.		Pale.	Wt.: 190gms. It shows Grade I atheroma at the root of ascending aorta.	Grade I atheroma at places.
1. Walls	2. Peritoneum	3. Mouth, Pharynx and Esophagus	4. Stomach and its contents		5. Small Intestine and its contents	6. Large Intestine and its contents	
As noted.	Pale.	Mucous membrane: Pale	Wt. of stomach with contents: 160gms; Stomach containing 10gms of yellowish colored mucous mixed fluid. Mucous membrane: Pale and it shows sub-mucosal haemorrhages at places.		Both mucous membrane: Pale. Containing gas and faeces.		
7. Liver	8. Spleen	9. Kidneys		10. Bladder	11. Organs of generation, external and internal		
Pale Wt: 844gms.	Healthy Wt: 46gms.	Both kidneys pale. Wt. of right kidney: 83gms, Wt. of right kidney: 90gms		Mucous membrane: Pale, Cavity: Empty.	Healthy.		
1. Injury		2. Disease or deformity		3. Fracture		4. Dislocation	
As noted		NIL		Nil		Nil	

Materials preserved: (1) Whole of the stomach with its contents, (2) proximal 30cm of small intestine with its contents, (3) 500gms of liver with gall bladder, (4) longitudinal halves of both kidneys: preserved in saturated solution of common salt with control, (5) 10ml of blood without preservative, (6) hair, (7) nail cutting and scrapping: for chemical analysis and (8) Section of both lungs in 10% formal saline for histo-pathological examination. All duly packed, sealed, signed and handed over to police personnel for onward transmission. The whole post-mortem was done under video photography and the cassette was duly packed, sealed, labeled, signed and handed over to escorting police personnel.

OPINION OF THE MEDICAL OFFICER AS TO THE CAUSE OF DEATH

In case of wounds note whether there is any indication of the wounds being homicidal, suicidal or otherwise.
The cause of death is kept pending till the receipt of chemical and histopathological examination reports.



Done at _____ on _____ 2022

Signature of _____
 Demonstrator
 Dept of Forensic & State Medicine
 Medical College, Kolkata

Signature of _____
 Demonstrator
 Dept of Forensic & State Medicine
 Medical College, Kolkata

Signature of _____
 Asst. Professor
 Dept of Forensic & State Medicine
 Medical College, Kolkata

Signature of _____
 Asst. Professor
 Dept of Forensic & State Medicine
 Medical College, Kolkata

POST MORTEM REPORT

(P.R.B. Form No. 55 - Vide Rule 284)

ORIGINAL

-24-

Station: Kolkata Police Morgue

Date: 03rd August, 2022

DB No. 441/Baruipur PS: Reference: Baruipur PS GB E No 68/22 dated 02.08.2022 & UD Case No.178/22 dated 01.08.2022 & Sec E1 6DE No. 236 dated 03.08.2022

PM No: 531 dated 03.08.2022

Name, Sex, Age & Caste	Whence brought - village & Thana	Name of the Constable by whom brought and names of relatives accompanying	Date and hour of			Information furnished by Police	By whom identified before the Medical Officer
			Dead Body Received	Paper Received	PM Examination		
KHOKON KHAN @ AKBAR MALE, about 48 years, MUSLIM	Baruipur P.S	C/214 Jaydeb Koyal of Baruipur X.S & Anjara Bibi, W/O Khokon Khan and Samina Bibi, Sister of Khokon Khan	06-15 PM on 03.08.2022	06-20 PM on 03.08.2022	06-25 PM on 03.08.2022	The subject was on remand of Baruipur Central Correctional Home since 26.07.2022. On 01.08.2022, the subject suddenly fell in the correctional home and was shifted to Baruipur Subdivisional Hospital where he was declared brought dead on 01.08.2022 at 11.45 hours.	Shubamay Ghosh, PSI of Baruipur P.S, Sural Kumar Chowdhury, Warden of Baruipur Central Correctional Home, Baruipur and Anjara Bibi, W/O Khokon Khan

N.B. - Observed the state of all the organs and when disease or injury is found write "Healthy"

I. External appearance	1. Condition of the subject - emaciated, decomposed etc.	2. Wounds - Position, size, character	3. Bruises - Position, size and nature	4. Marks of ligature on neck (dissection etc.)
	Dead body of a male subject, length-66 inches, Rigor Mortis-present over the lower limb only (? cool chamber), eyes closed, conjunctiva-congested, cornea-taxy, pupils-fixed and dilated equally on either sides. Scalp Hair - 3"; mixed grey and black in colour, Moustache - 0.5"; mixed grey and black in colour, Beard - 0.4"; mixed grey and black in colour. Wearing Apparels - Nil except one blue Rajli coat with black area of elastic and chains in both pockets. A tear was present in the right pocket area. Some stains like that of stool was present in the inner aspect of the pants. One tattoo mark with black ink "785" was present over the lateral aspect of right arm. 7" below the right tip of shoulder. Evidence of bluish discoloration noted in the finger nailbeds. Presence of small immature maggots noted in the oral cavity, in the ears and few areas of scalp.	"Evidence of post mortem staining noted over whole of the back of the body except the pressure points. Evidence of post mortem peeling of skin noted over both the buttocks. One old scar mark 2" X 0.2" noted over the left lateral aspect of anterior chest wall 6.4" below the tip of axilla.	INJURIES: 1. Abrasion 2.5" X 0.3" over the antero-lateral aspect of left arm 3" distal to the tip of shoulder. 2. Multiple small abrasions (total 5) over an area of 4" X 3" over the posterior aspect of left elbow, the largest measuring 1.5" X 1" and the smallest measuring 0.6" X 0.5". 3. Abrasion 1.5" X 1" over lateral aspect of left leg 0.2" above the lateral malleolus of left knee joint. 4. Abrasion 4" X 2" over lateral aspect of left leg 3" proximal to the ankle of middle finger of left hand. 5. Abrasion 3.5" X 3.5" over the lateral aspect of right leg 1" X 1" over lateral aspect of left leg 0.2" above the lateral malleolus. 6. Abrasion 1" X 1" over the posterior aspect of left leg 3" proximal to the left heel. 7. Abrasion 1.5" X 1" over lateral aspect of left leg 0.2" above the lateral malleolus. 8. Abrasion 3" X 6" over the anterior aspect of left leg 4.5" proximal to the left heel. 9. Abrasion 3" X 1" over the antero-medial aspect of left leg at the level of medial malleolus of right leg. 10. Abrasion 3" X 2" over the posterior aspect of right elbow joint, the largest measuring 1" X 0.5" and smallest 0.4" X 0.1". 11. Abrasion 0.6" X 0.4" over the medial epicondyle of right elbow joint. 12. Multiple small abrasions over an area of 3.5" X 1.5". 13. Abrasion 0.5" X 0.3" over the medial aspect of right knee joint. 14. Abrasion 0.5" X 0.3" over the medial aspect of the right knee joint area. 15. Abrasion 0.5" X 0.5" over the antero-lateral aspect of right leg just below the knee joint. 16. Abrasion 0.5" X 0.4" over the lateral aspect of right knee joint area. 17. Abrasion 0.5" X 0.5" over the antero-lateral aspect of right leg just below the knee joint. 18. Abrasion 0.5" X 0.4" over the lateral aspect of right knee joint area. 19. Lacerated wound 0.5" X 0.1" X subcutaneous tissue noted over the anterior aspect of right patellar region.	

II. Cranium and spinal canal	1. - Scalp - Skull and Vertebrae	2. - Membranes	3. - Brain and spinal cord - (The spinal canal need not be examined unless any indication of disease or injury exists)
	Scalp - As noted. Skull - Intact. Vertebra - Intact.	Congested	Brain - Congested. Weight of brain - 1285 gm.

III. Thorax	1. - Walls, ribs and cartilages	2. - Pleura	3. - Larynx and tracheae	Rt. Lung	Lt. Lung	Pericardium	Heart	Vessels
	Walls - As noted. Ribs & cartilages - As noted.	Congested.	Mucous membrane of larynx and trachea - congested. Hyoid bone & thyroid cartilage - Intact	Wt of Rt lung - 648 gm. Congested. Wt of left lung - 585 gm and as noted. On dissection, there is exudation of blood mixed with froth.			Congested.	Healthy. Weight - 226 gm.

IV. Abdomen	1. - Walls	2. - Peritoneum	3. - Mouth, Pharynx and Oesophagus	4. - Stomach and its contents		5. - Small intestine and its contents	6. - Large intestine and its contents	
	As noted.	Congested.	MUCUS membrane - congested.	Mucous membrane congested with evidences of submucosal haemorrhage at places. Wt of stomach with contents 305 gm. Contains 105 gm of mucus mixed yellow colour fluid.		Mucous membrane - congested. Contains gas and faecal matter.		
	2. - Liver	8. - Spleen	9. Kidneys	10. - Bladder	11. - Organs of generations, external and internal			
	Healthy. Wt - 1076 gm.	Healthy. Wt - 135 gm.	Both kidneys congested. Wt of Right kidney - 105 gm, Wt of Left kidney - 135 gm.	Mucous membrane congested. Cavity empty.	Healthy			

Muscles, Bones and	1. - Injury	2. Disease and deformity	3. - Fracture	4. - Dislocation
	As noted.	Nil.	As noted.	Nil.

More detailed description of injury or disease

20. Lacerated wound 1.5" X 0.6" X subcutaneous tissue noted over the lateral aspect of right knee joint area 3" below the upper end of patella. 21. Lacerated wound 0.5" X 0.2" X subcutaneous tissue noted over the anterior aspect of right tibia 2.6" below the upper end of right patella. 22. Lacerated wound 3.5" X 0.6" X subcutaneous tissue noted over the anterior aspect of right tibia 3.6" below the upper end of right patella. 23. Abrasion 0.5" X 0.2" over the anterior aspect of the right tibia 3.5" below the upper end of right patella. 24. Multiple small abrasions (total 5) over an area of 4" X 3.8" over antero-medial aspect of right leg 3.3" above right medial malleolus, the largest being 0.4" X 0.2" and the smallest 0.2" X 0.1" in dimensions. 25. Abrasion 2.7" X 1.5" over anterior aspect of lower end of right leg at the level of ankle joint. 26. Multiple small abrasions (total 8) over an area of 4" X 3" in the posterior aspect of lower part of leg 3" above the right heel, the largest 2.5" X 0.6" and smallest 0.3" X 0.2" in dimensions. 27. Abrasion 3" X 0.8" over the right scapular region 5" right to the midline and 6.5" below the tip of right shoulder. 28. Abrasion 2.5" X 1" over the right scapular region 4" right to the midline and 6.5" below the tip of right shoulder. 29. Multiple abrasion (4 in number) over an area of 4" X 3.5" in the posterior chest wall almost over the midline 10" below the tip of olecranon process. 30. Extravasation of blood 3" X 1.5" noted over the postero-lateral aspect of upper part of left forearm 0.2" distal to injury no. 5 as mentioned above. 31. Extravasation of blood 3.5" X 2" over and around the left anterior superior iliac spine. 32. Extravasation of blood 5" X 4" over the lateral aspect of left leg from the level of knee joint line and below right arm 5.8" proximal to the tip of olecranon process. 33. Extravasation of blood 3" X 2" noted over the right iliac region 2.5" above the gluteal fold and 2" right to midline. 34. Extravasation of blood 2.5" X 1" over the postero-lateral aspect of parietal eminence. 35. Extravasation of blood 3" X 2" noted over the right iliac region 2.5" above the gluteal fold and 2" right to midline. 36. Scalp hematoma 1.5" X 8.5" noted over the left second to tenth ribs of left side; second and third along posterior axillary line, fourth, fifth, sixth and seventh along mid-clavicular line and eighth, ninth and tenth along posterior axillary line with extravasation of blood at fracture sites and contusion over the posterior aspect of left lung. All the injuries show evidence of vital reactions. The abrasions are covered with reddish-brown scabs at most places. The extravasation of blood are reddish-blue in colour. The margins of the lacerated wounds are adherent with each other at places and covered with dried crust at places. No other external or internal injuries could have been detected even after careful dissection and meticulous examination.

Opinion of the Medical Officer as to the cause of death

N.B. - In the case of wounds, note whether there is any indication of the wounds being homicidal or otherwise

Death was due to the effects of antemortem injuries as noted above. Further opinion, if any, will be given after receipt of Chemical Examiner's report.

Remarks by Civil Surgeon

*** Materials Preserved: 1. Stomach with whole of its contents, 30 cm of small intestine and its contents, 300 gm of liver with gall bladder, longitudinal half of each kidney in saturated solution of common salt with control. 2. Blood without preservative. 3. Nail scrapings and cuttings. 4. Hair. 5. Wearing Apparels. All duly packed, labelled, sealed, signed and handed over to police for onward transmission for chemical examination. The whole Post Mortem was done under video photography and the video cassette was duly packed, labelled, sealed, signed and handed over to the escorting police.

Asst. Professor
Dept of Forensic Medicine
State Medical College, Kolkata

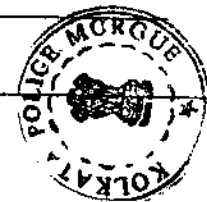
Surgeon of (1) Saravata Binay
03/08/2022

(2) Partha Sarathi Das 03/08/2022

(3) Nalini Devi 03/08/2022

Civil Surgeon of _____
The _____ day of _____

Deputy Registrar
Dept of Forensic Medicine
State Medical College, Kolkata



✓
 Has no further work to be done at pages nos.

File No.
 Date of filing
 Suktanta Maity 30/11/22
 Advocate

DISTRICT: SOUTH 24 PARAGANAS
 IN THE HIGH COURT AT CALCUTTA
 CONSTITUTIONAL WRIT JURISDICTION
 APPELLATE SIDE

W.P.A. (P) No.594 of 2022

In the matter of:
 An application under Article
 226 of the Constitution of
 India.

-AND-

In the matter of
 Association for Protection of
 Democratic Rights (APDR)&
 Another

.....Petitioners

-Versus-

State of West Bengal & Others

.....Opposite Parties

WRIT PETITION

SRIMOYEE MUKHERJEE
 Advocate

Enl.No.

CHAMBER : 73A Banamali

Naskar Road, Behala,

Kolkata 700060

Mobile : 9674254576