

(2021) 07 GAU CK 0088

In the Gauhati High Court

Case No : Writ Petition (Civil) No. 2970 Of 2021

Basapi Kropi

APPELLANT

Vs

State Of Assam And 6 Ors

RESPONDENT

Date of Decision : 16-07-2021

Acts Referred:

Scheduled Cast & Scheduled Tribe (Prevention Of Atrocities) Act, 1989 — Section 15

Citation : (2021) 07 GAU CK 0088

Hon'ble Judges : Prasanta Kumar Deka, J

Bench : Single Bench

Advocate : A Chaudhury

Judgement

Heard Mr. B. K. Mahajan, the learned counsel for the petitioner. Also heard Mr. K. Goswami, the learned Additional Senior Government Advocate,

Assam representing the respondent Nos. 1, 3, 4, 5, 6 and 7.

On 11.06.2021 notices were issued and today was the returnable date. As per the order dated 11.06.2021 it was observed by this court that the

authorities shall keep in my mind that a person against whom prima facie evidences are available as against any offence committed shall not roam free

on default bail because of the non-completion of the investigation in time. On a specific query to Mr. Goswami, he fairly submits referring to the

affidavit put on record dated 11.06.2021 that the investigation is proceeding. Mr. Mahajan in his specific submission that the charge-sheet is required

to be submitted on or before 22.07.2021 before turning into reality the observation made by this court referred hereinabove in the order dated

11.06.2021. Mr. Goswami fairly submits that he will take necessary instruction in respect of progress of the investigation keeping in view the

observation made by this court referred hereinabove. On the other hand, Mr. Goswami in compliance of the order dated 11.06.2021 in respect of

compensation to the parent of the victim produced a letter dated 07.07.2021 issued by the Deputy Secretary to the Govt. of Assam, WPT & BC

Department where from it is evident that action had already been initiated in order to compensate the parent as against the death of Late Sumila

Ronghangpi to an amount of Rs. 8.25 lakhs.

Mr. Mahajan also makes a special reference of the strict implementation of the provisions of Scheduled Cast/Scheduled Tribe (Prevention of

Atrocities) Act, 1989 and appointment of a Special Public Prosecutor under Section 15 of the Scheduled Cast/Scheduled Tribe (Prevention of

Atrocities) Act, 1989.

List this matter on 20.07.2021.

An observation was made vide order dated 11.06.2021 to bring to the notice of the Government the menace of child labour and the coordinated action

required to be taken by the Home department. The required action initiated by the Home department shall also be brought to the notice of this court on

the next date so fixed.

Letter dated 07.07.2021 submitted along with the annexures by Mr. Goswami is kept on record.