

**POLICE ACCOUNTABILITY COMMISSION  
TRIPURA : AGARTALA**

**COMPLAINT NO. 23 OF 2022**

Mrs. Beena Sarkar,  
W/o. Lt. Moti Lal Sarkar,  
Village : Tuichindai, Borolunga Shivar,  
PS: Teliamura,  
District: Khowai ..... Complainant

Vs

Superintendent of Police  
Khowai District, Khowai ..... Opposite Party

**ORDER**

29.10.2022

A complaint was made by one Mrs. Beena Sarkar to Superintendent of Police, Khowai District. A copy of this complaint was also received by Tripura Police Accountability Commission. In the said complaint, Mrs. Beena Sarkar had made allegation regarding non registration of FIR under relevant provisions of IPC in connection with one incident which happened on 26.03.2022. It further transpired from the complaint that her husband had sustained serious injury in an accident involving the vehicle No.TR-04-1824 (Mini Truck). In her complaint, she also mentioned that her husband namely, Shri Motilal Sarkar who sustained serious injuries in the incident involving the vehicle No.TR-04-1824 (Mini Truck) was taken to Teliamura Hospital for treatment but he was declared dead by the Medical Officer. Thereafter, she had submitted application to the Teliamura Police Station for registration of

FIR but O/C, Teliamura Police Station had made a UD case in section 174 of Cr.PC instead of applying section 279 and 304(A) of IPC.

2. Considering the allegation as made by the complainant, the Commission decided to obtain a factual report from Superintendent of Police, Khowai.

3. The Commission received report dated 05.07.2022 from AIGP (Crime), PHQ in which, inter-alia, the following information was provided:-

- i) On 26.03.2022, information was received from a medical officer, Teliamura Sub-divisional hospital regarding admission of a person with the history of fall / injury who expired in the hospital on that day at about 10:15 hrs. Police was requested to conduct P.M examination.
- ii) A UD case was registered U/s. 174 Cr.PC and investigation was conducted by I/O who also collected the P.N examination report wherein it was opined that the cause of death was due to *"hemorrhage shock as a result of blunt trauma abdomen and body"*.
- iii) No complaint was received from Mrs. Beena Sarkar on 26.03.2022 by O/C, Teliamura P.S.
- iv) Written complaint was received from Mrs. Beena Sarkar on 22.06.2022 and accordingly, an FIR was registered U/s. 279/304(A) of IPC. Investigation is in progress.


4. After taking into consideration the response of AIGP (Crime), PHQ, the Commission decided to obtain response of the complainant and accordingly,


by order dated 13.07.2022 opportunity was provided to her to give her response to the Commission. As no response / reply was received from the complainant, further opportunities were provided to her by order dated 02.08.2022 and 01.09.2022.


5. The Commission has not received any response or reply from the complainant and therefore, it is understood that she has no additional information to give on the response submitted by police. From the record available before the Commission, it appears that based on the written complaint of Mrs. Beena Sarkar an FIR was registered U/s. 279/304(A) of IPC and the investigation is in progress.

6. Therefore, we are of the view that the instant case does not attract any of the provisions contained in section 66 of Tripura Police Act, 2007. The matter accordingly, stands disposed of without making any recommendation.

7. Send a copy of this order to the Secretary, Home and Director General of Police, Tripura and also to the Complainant.

  
(Y. Kumar)  
Member, PAC

  
(G. K. Rao)  
Member, PAC

  
(Justice S. C. Das)  
Chairperson, PAC