

Abhijit Som, WBHJS
Member Secretary
STATE LEGAL SERVICES AUTHORITY
WEST BENGAL



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No. 1995(19) SLSA-139/2014

dated 28.07.2014

To
The Chairman,
District Legal Services Authority
&
The Chief Judge / District & Sessions Judge,

Kolkata, Bankura, Birbhum, Burdwan, Coochbehar, Dakshin Dinajpur, Darjeeling, Hooghly, Howrah, Jalpaiguri, Malda, Murshidabad, Nadia, North 24 Parganas, Paschim Medinipur, Purba Medinipur, Purulia, South 24 Parganas & Uttar Dinajpur

**Sub. : Direction of the Hon'ble Supreme Court of India in Suo Motu
W.P. (Criminal) No. 24/2014**

Sir/Madam,

With reference to above mentioned matter, I am directed to forward herewith the excerpt of the Judgement passed by the Hon'ble Supreme Court of India in **suo motu Writ Petition (Criminal) No. 24/2014 on 28th March, 2014.**

"..... all hospitals, Public or private whether run by the Central Government, the State Government , local bodies or any other person, are statutorily obligated under Section 357C to provide the first-aid or medical treatment, free of cost, to the victims of any offence covered under Sections 326A, 376, 376A, 376B, 376C, 376D or Section 376E of the IPC."

Pursuant to the direction of the Hon'ble Supreme Court of India, you are requested to take necessary steps for circulation and take up the matter with the Chief Medical Officer (Health) of the district, Government of West Bengal for compliance of the above captioned direction in all Hospitals public and private, Health units within the district. An action taken report may kindly be sent to this Authority at your earliest.

With regards,

Yours faithfully,

Abhijit Som.

(Abhijit Som)

Member Secretary
State Legal Services Authority
West Bengal

Enclo. : Excerpt of the aforesaid Judgement dated 28.03.2014(3 sheets).

REPORTABLE

IN THE SUPREME COURT OF INDIA

CRIMINAL ORIGINAL JURISDICTION

SUO MOTU WRIT PETITION (CRIMINAL) NO. 24 OF 2014

In Re: Indian Woman says gang-raped on orders of Village Court published in Business & Financial News dated 23.01.2014

J U D G M E N T

P.Sathasivam, CJI.

1) This Court, based on the news item published in the Business and Financial News dated 23.01.2014 relating to the gang-rape of a 20 year old woman of Subalpur Village, P.S. Labpur, District Birbhum, State of West Bengal on the intervening night of 20/21.01.2014 on the orders of community panchayat as punishment for having relationship with a man from a different community, by order dated 24.01.2014, took *suo motu* action and directed the District Judge, Birbhum District, West Bengal to inspect the place of occurrence and submit a report to this Court within a period of one week from that date.

society. It will be wrong to blame only on the attitude of the people. Such crimes can certainly be prevented if the state police machinery work in a more organized and dedicated manner. Thus, we implore upon the State machinery to work in harmony with each other to safeguard the rights of women in our country. As per the law enunciated in **Lalita Kumari vs. Govt. of U.P & Ors** 2013 (13) SCALE 559, registration of FIR is mandatory under Section 154 of the Code, if the information discloses commission of a cognizable offence and the Police officers are duty bound to register the same.

27) Likewise, all hospitals, public or private, whether run by the Central Government, the State Government, local bodies or any other person, are statutorily obligated under Section 357C to provide the first-aid or medical treatment, free of cost, to the victims of any offence covered under Sections 326A, 376, 376A, 376B, 376C, 376D or Section 376E of the IPC.

28) We appreciate the able assistance rendered by Mr. Sidharth Luthra, learned ASG, who is appointed as *amicus*

curiae to represent the cause of the victim in the present case.

29) With the above directions, we dispose of the *suo motu* petition.

.....CJI.
(P. SATHASIVAM)

.....J.
(SHARAD ARVIND BOBDE)

.....J.
(N.V. RAMANA)

NEW DELHI;
MARCH 28, 2014.