**IN THE HIGH COURT OF JHARKHAND AT RANCHI**

**(Criminal Writ Jurisdiction)**

**W.P.(Cr.) No. 64/2020**

**IN THE MATTER OF:**

An Application under Article 226 of the Constitution of India.

AND

**IN THE MATTER OF:**

Rajesh Soreng …Petitioner

**Versus**

1. State of Jharkhand through Principal Secretary, Home Department, Govt. of Jharkhand, Project Building, Project Building, P.O. and P.S.-Dhurwa, Ranchi.
2. Superintendent of Police, Simdega, Office of Superintendent of Police, Post & Dist. Simdega
3. Officer in Charge of Arki Police Station, P.O & P.S. Arki, District-Simdega. ... Respondents

TO,

HON’BLE MR. JUSTICE RAVI RANJAN, THE CHIEF JUSTICE OF THE HIGH COURT OF JHARKHAND, RANCHI AND HIS OTHER COMPANION JUDGES OF THE SAID HON’BLE COURT.

The humble writ petition on behalf of the Petitioner above named;

**MOST RESPECTFULLY SHEWETH:**

1. That in the instant petition, the petitioner pray for issuance of an appropriate writ(s)/ order(s)/ direction(s) for following relief(s):-
2. Direction upon the Respondent/state authorities to immediately take actions against the Investigation Officer of the case and arrest the accused persons as they are in the position to influence the investigation and induce the witnesses.
3. Direction for an independent agency, to investigate into the matter.
4. Any other relief or order Your Lordship may deem fit and proper in the facts and circumstances of the case.
5. That the petitioner has not moved earlier before this Hon’ble Court for same relief(s) as sought in the present writ application.
6. That the cause of action for filing this writ petition has arisen within the territorial jurisdiction of this Hon’ble High Court.
7. That in the facts and circumstances of this case, the substantial questions of law which may inter-alia arise for kind consideration of this Hon’ble Court are as follows:-
8. Whether the police department will investigate this matter properly when from the day of the occurrence, they are bent to prove that it is a homosexuality and suicide matter?
9. Whether to secure justice it is desirable to transfer the investigation to any independent investigating agency as the Hon’ble Court deems fit?
10. Whether the petitioner being the citizen of India is entitled to the protection of law as guaranteed and mandated under the Constitution of India?
11. That the petitioner is a citizen of India and as such is entitled to the protection of law as enshrined in Indian Constitution.
12. That the petitioner is the father of Shraddha Shalini Soreng (hereinafter referred to as “Deceased”) who had died under unnatural circumstances, and the police is trying to portray that it is a matter of suicide.
13. That the brief fact of the case is as follows:
14. That on 10-08-2019 Shraddha Shalini Soreng (Deceased) had left for school to Virmitrapur at about 6:00 am.
15. That till evening she had not returned to her home, upon which the family members started searching for her and asking her whereabouts from anybody and everybody.
16. That on 11-08-2019 the family got a phone call at about 7:35 am informing them that their daughter, Shraddha and her friend Sunandini have hanged themselves from a tree and committed suicide, behind the Aarani Panchayat Bhawan.
17. That the deceased Shraddha and Sunandini were acquainted with each other, as they used to do hockey training together under the guidance of their coach, one Mary Meenakshi Purty, at her home situated at Hamirpur, Raurkela. That both the deceased had met for the first time during the coaching, wherein Sunandini was practically living with the coach and her family as a member of the family, helping with the household work since June-July 2016, and Shraddha had gone for the training to the coach’s house situated in Hamirpur, in December 2018.
18. Shraddha’s father, in the month of May, 2019 had again brought her back to Simdega, as the coach was not getting her admission done in the D’ souza School, in standard 10th, as promised by her.
19. That on the day of occurrence, the deceased Sunandini had left the coach’s house at about 4:00 am in the early hours of the day, whereafter at about 3:00 pm the daughter of the coach, Sonam Purty along with three others had gone to Sunandini’s house, in a Scorpio, to drop all her luggage, and on enquiring about the reason, Sonam said that Sunandini had left for home in the morning itself, but on pressuring her to give more information Sonam said that, now Sunandini will never come back, and left, taking the luggage back with her, as the mother refused to take the luggage.
20. That Sonam Purty had confessed to the mother of Sunandini that she had hit Sunandini, because she used to talk to Shraddha, and also that she will beat Shraddha once she gets hold of her.
21. That Sonam Purty had got a message from Sunandini’s phone at about 11:00 pm on 10-08-2019, and even then the family neither enquired into the matter nor informed to the family of the girls or the police about the same.
22. That the family only got to see the bodies of the deceased when they were brought to the police station.
23. That the police till date has not inquired from the coach Mary Meenakshi Purty, her daughter Sonam Purty, or the other members of the family, though their names find place in the FIR, but the police is basing their theory of homosexuality and suicide on the sole testimony of Pushkarini, a 12-14 years girl, who also stays with the coach and does her hockey training.
24. That the family members of the deceased came to know that, none of the neighbours used to talk to the Purty family, as they were not good people.
25. That the police till date has not visited the house of the deceased Shraddha Shalini Soreng, and whenever the parents visit the Police Station, the police accuses them only, saying that their daughter had committed suicide, as she was into drugs and all sorts of unhealthy things and was in a relationship with her friend Sunandini, and being ashamed of the fact they had committed suicide.
26. That the faces of the girls, shows no signs of committing suicide, by hanging through the rope, as their faces are very peaceful.
27. That the police has also asked the families of the deceased to keep mum in the matter as the elections are going on, and to not to approach either the politicians or the human rights commissions in the matter, as they are the culprits here.
28. That the deceased have not committed suicide, and they have been murdered, and the case is being portrayed by the police as suicide. Several photographs taken by the media shows that the feet of both the girls were almost touching the ground, and the rope used was that of a plastic one, which should have definitely left marks on the neck.

Photograph is being annexed herewith and marked as **Annexure-1** forming a part of this writ.

1. That the family members of the deceased took photographs of injuries on the body of Deceased, which shows that, neither the eyes are popped open nor the tongue is hanging out, nor the neck bears any such rope marks.

Print out of photographs being annexed herewith and marked as **Annexure-2** forming a part of this writ.

1. That after the murder of girls, the petitioner sent a written complaint to the Police Station Incharge Simdega, Superintendent of Police Simdega, Deputy Commissioner of Police, Ranchi. That even the villagers along with the family members of the deceased and government block authorities have sent complaint/representations to Simdega Police Station Incharge, Superintendent of Police Simdega and Inspector General of Police, for proper and fair inquiry into the murder case, but no action has been taken on the complaint.

True copy of the FIR and the complaints annexed herewith and marked as **Annexure-3** forming a part of this writ.

1. That it is pertinent to mention here that both the girls, Shraddha and Sunandini were bright girls, they were brilliant hockey players, and had also represented the state in the Hockey Tournament held in Delhi in the month of January, 2019.

True copy of the participation certificate is annexed herewith and marked as Annexure-4, forming a part of this writ.

1. That it is most humbly submitted that Article 21 and 14 of Indian Constitution not only guarantees Right to Life and Personal Liberty but also casts a duty upon the state to safeguard it.
2. That it is further submitted that Article 21 and 14 of Indian Constitution not only protects the Indian citizen but also the alien from arbitrary actions of the state.
3. That the police department may not investigate this matter properly as the coach has connections with the political parties, and till now they have not completed their investigation and also their investigation is not proper.
4. That to secure complete justice it is desirable to transfer the investigation to any independent investigating agency as the Hon’ble Court deems fit.
5. That the petitioner being a citizen of India is entitled to the protection of law as guaranteed and mandated under the Constitution of India
6. That petitioner seeks leave of this Hon'ble Court to add, alter, amend or delete part or portion of the petition as and when found necessary for the ends of justice.
7. That in view of the facts and circumstances, the petitioner has got no other efficacious, alternative, speedy and economic remedy than to invoke extraordinary inherent jurisdiction of this Hon’ble Court.
8. That the instant application is being made bona fide and in the interest of justice.
9. That the other and further grounds shall be urged at the time of hearing on this petition.

It is, therefore, prayed that Your Lordships may graciously be pleased to issue writ or writs and pass the following directions:

1. Direction upon the Respondent/state authorities to immediately take actions against the Investigation Officer of the case and arrest the accused persons as they are in the position to influence the investigation and induce the witness.
2. Direction for an independent agency, to investigate into the matter.
3. Any other relief or order Your Lordship may deem fit and proper in the facts and circumstances of the case.

And for this your petitioner shall ever pray.