

18 26.07.21
rkd Ct.30

WPA (H) 29 of 2021

In re: An application under Article 226 of the
Constitution of India;

And

In the matter of: Chandana Ghosh
...for the petitioner.

Ms. Joanna Srireen Sarkar,
Mr. Raneshwar Sinha

....for the petitioner.

Mr. Saibal Bapuli,
Mr. Sabir Ahmed

...for the State.

The present *habeas corpus* petition has been preferred by the petitioner praying for issuance of necessary directions upon the respondents to recover her daughter, who is a minor and is missing since 9th December, 2020.

Mr. Sinha, learned advocate appearing for the petitioner submits that the petitioner came to learn that her daughter had been kidnapped by the private respondents. A complaint to that effect was lodged on 9th December, 2020. The said complaint was registered as Hasnabad P.S. Case No.876 of 2020 dated 9th December, 2020. The police authorities, however, did not take any step and the private respondents are constantly threatening the petitioner to withdraw the said case.

Mr. Bapuli, learned advocate appearing for the State denies the allegations as levelled against the police authorities and submits that the

petitioner's daughter had already been recovered and her statement had been recorded under Section 164 of the Code. Presently she is at Sukanya Home, Salt Lake, Kolkata. The report as filed on behalf of the State be kept on record.

Having heard the learned advocates appearing for the respective parties and since the petitioner's daughter had already been recovered, no further interference is called for in the present writ petition.

However, the petitioner would be at liberty to avail appropriate remedies before the competent forum, if so advised and in accordance with law.

With the above observations, the present writ petition being WPA (H) 29 of 2021 is disposed of.

There shall, however, be no order as to costs.

All parties shall act on the server copies of this order duly downloaded from the official website of this Court.

(Subhasis Dasgupta, J.)

(Tapabrata Chakraborty, J.)