

04.04.2022

Item No.53

Court No.32

Avijit Mitra

WPA (H) 15 of 2022

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

And

Rakhi Sapui

-vs-

State of West Bengal & ors.

Mr. Asis Bhattacharya

....for the petitioner

Mr. Debabrata Chatterjee,

Mr. Simanta Kabir

...for the State

The present writ petition has been preferred alleging *inter alia* that one Aritra Sanpui (in short, Aritra), who is aged about 22 years, is missing since 18th March, 2022.

Mr. Bhattacharya, the learned advocate appearing for the petitioner submits that her son, namely, Aritra eloped with a minor girl, namely, Trisha Halder (in short, Trisha). Aritra is still missing and his family members are under a constant threat that they may be arrested since a complaint has already been lodged by one Bimal Halder, father of Trisha, alleging *inter alia*, that Trisha, who is a minor, had been kidnapped by Aritra and his family members.

Mr. Chatterjee, learned advocate appearing for the State submits that the complaint of Bimal

Halder has already been registered as Mandir Bazar Police Station Case No.76 of 2022 dated 19th March, 2022 under Sections 363/365/120B of the Indian Penal Code and adding Section 6 of the POCSO Act. In connection with the said case Aritra was arrested on 24th March, 2022 and he is presently in custody. Trisha had already been recovered and her statement had also been recorded under Section 164 of the Code. Let the report, as filed, be kept on record.

Having heard the learned advocates appearing for the respective parties and since the petitioner's son had been arrested in connection with Mandir Bazar Police Station Case No.76 of 2022 and is presently in custody, no interference is called for in the present petition and the same is, accordingly, dismissed.

There shall however be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be given to the learned advocates for the parties.

(Sugato Majumdar, J.) (Tapabrata Chakraborty, J.)

