

S/L 19
09.06.2022
Court. No. 19
GB

WPA 10001 of 2022

Ranjit Sharma
VS
The State of West Bengal & Ors.

*Mr. Moyukh Mukherjee,
Sk. Ariful Islam.*

...for the Petitioner.

The petitioner seeks for directions upon the Superintendent of Police, Purba Medinipur as also the Officer-in-Charge, Kolaghat Police Station for recovery of the minor child, who was taken away from the custody of the father. The petitioner before this Court, is the father.

The allegation is that the child was kidnapped and sexually assaulted by the accused person. The child was recovered and produced before the learned Additional Sessions Judge, 2nd Court at Tamluk, Purba Medinipur. Statement under Section 164 of the Code of Criminal Procedure was recorded. Thereafter, it is further alleged that the child was once again kidnapped. Apprehension is that further aggravated sexual assault is being committed on a day to day basis upon the child. The victim girl is only 14 years old. It is submitted that there has been no arrest.

Reliance has been placed on an order dated March 21, 2021, from which it transpires that the learned Additional Sessions Judge had already directed the Superintendent of Police, Purba Medinipur to look into the matter and ensure recovery of the victim girl.

The writ petition has been filed for further directions for recovery of the victim girl upon execution of the warrant of arrest against the accused person.

It is alleged that till date, neither the accused person has been arrested nor the victim girl has been recovered. Further allegations are that the investigating authorities have been naming the victim girl, although such disclosure of the identity of the victim girl has been prohibited by the courts. The name of the child shall not be disclosed.

The court finds that the orders as prayed for in the writ petition, has already been granted by the learned Additional Sessions Judge. However, the court has taken a serious view on the failure of the OC Kolaghat Police Station to comply with the directions of the learned court below.

This Court expects the Superintendent of Police, Purba Medinipur shall comply with the directions of the learned Additional Sessions Judge and take appropriate steps, as directed within the time fixed.

As the petitioner has already been granted the relief prayed for by the learned Additional Sessions Judge, no further orders need be passed, save and except as directed hereinabove. The petitioner shall pursue his remedy in the court below.

Accordingly, the writ petition is disposed of.

However, there will be no order as to costs.

All the parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)