

07.07.2022

Court No.32
rpan/11

WPA (H) 36 of 2022
Subhash Chandra Giri
- Versus -
The State of West Bengal & Others

Mr. Rabisankar Chattopadhyay,
Mr. Anindya Sundar Das,
Ms. Avipsa Sarkar Chatterjee
... for the Petitioner.
Mr. Sabir Ahamed,
Mr. Simanta Kabir
... for the State.

Mr. Chattopadhyay, learned advocate appearing for the petitioner submits that the petitioner's daughter went missing on and from 25th April, 2022. A complaint was lodged but the police authorities did not take appropriate steps. Aggrieved thereby, the petitioner has approached this Court.

Mr. Ahamed, learned advocate appearing for the State denies such contention and submits that the police authorities had discharged their obligations and in course of investigation the victim girl has also been recovered on 21st June, 2022 and she submitted a representation to the Officer-in-charge, Contai Women Police Station, Contai, Purba Medinipur stating *inter alia* that she had willingly left her residence and is residing with the family members of the respondent no.15. Let the said representation and other documents, as produced by Mr. Ahamed, be kept on record.

Heard the learned advocates appearing for the respective parties and considered the materials on record.

A writ in the nature of *habeas corpus* is a prerogative writ by virtue of which the causes and validity of detention of a person are investigated by a summary procedure. In the present case the victim girl is major and she stated before the police authorities that she willingly left her paternal house and is presently residing with the family members of the respondent no.15. It, thus, cannot be said that the petitioner's daughter is under illegal detention.

In such circumstances and as the victim girl has already been recovered, no interference is called for in the present writ petition and the same is, accordingly, disposed of.

Nothing in this order shall, however, prevent the petitioner from taking further steps before the appropriate forum, in accordance with law.

With the above observations the *habeas corpus* petition, being WPA (H) 36 of 2022 is disposed of.

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

Urgent photostat certified copy of this order, if applied for, be supplied to the parties, upon compliance of all requisite formalities.

(Raja Basu Chowdhury, J.) (Tapabrata Chakraborty, J.)