

16.08.2022
Sl. No.414(ML)
srm

W.P.A. No. 13964 of 2021
Amir Hossain Gharami
Versus
State of West Bengal & Ors.

Mr. Sandipan Pal
...for the Petitioner.

Mr. Ashim Kumar Ganguly,
Mr. Bellal Shaikh
...for the State-respondents.

The writ petition has been filed alleging inaction of the
Inspector-in-Charge, Baruipur Police Station.

It is the contention of the petitioner that the respondent
No.5 took away the alleged wife of the petitioner forcefully,
and behind the back of the petitioner. The respondent No.5 is
the father of the alleged wife. Reliance has been placed on the
Aadhar card of the petitioner's alleged wife to demonstrate
before the Court that the lady is an adult. The allegation of
wrongful detention has been made.

The police authorities have filed a report. It appears that
after receiving the complaint of the petitioner dated August 25,
2021, Baruipur Police Station Case No.1484 of 2021 dated
August 25, 2021 under Sections 448/506/34 of the Indian Penal
Code was registered against the respondent No.5. During

investigation, the alleged accused person was sent a notice under Section 41A of the Code of Criminal Procedure. The accused surrendered before the learned jurisdictional Magistrate and he was released on bail. The investigating agency interrogated the alleged wife. She submitted that she had willingly left the petitioner and had gone away with her father. After completion of the investigation, charge sheet has been filed under Sections 448 and 506 of the Indian Penal Code against the respondent No.5.

Thus, the entire issue is now a matter of trial. The rights of the parties before the appropriate court are kept open.

The writ petition is, thus, disposed of without further orders.

There will be no order as to costs.

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

(Shampa Sarkar, J.)