

15.07.2022

Court No.32
rpan/01

WPA (H) 40 of 2022
Smt. Pratima Santra
- Versus -
State of West Bengal & Others

Mr. Sankar Proshad Dalapati,
Ms. Tanusree Ghosh,
Mr. Tamal Taru Panda,
Mr. Sourav Mondal
... for the Petitioner.
Mr. Sabir Ahamed,
Mr. Simanta Kabir
... for the State.

Mr. Dalapati, learned advocate appearing for the petitioner submits that the petitioner's daughter, namely, Sonali Santra, who is aged about 17 years, went missing on and from 3rd June, 2022. She had been abducted by the respondent no.9. A complaint to that effect was lodged before the police authorities but no steps were taken. Aggrieved thereby, the petitioner was constrained to prefer the present writ petition.

Mr. Ahamed, learned advocate appearing for the State submits that the petitioner's daughter is an adult lady and she willingly left her residence and married the respondent no.9. Such fact would be explicit from the statement of the petitioner's daughter, as recorded under Section 164 of the Code. Let the documents, as produced, 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.

It appears that the petitioner's daughter is an adult lady and she willingly left her residence and married the respondent no.9. As such, it cannot be said that the petitioner's daughter is under any illegal detention. The whereabouts of the petitioner's daughter had also been disclosed to the petitioner herein.

In the said conspectus, we are of the opinion that no interference is called for in the present writ petition and the same is, accordingly, 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.)