

S/L 3
01.08.2022
Court. No. 19
GB

WPA 15915 of 2022

Promila Patra
VS
The State of West Bengal & Ors.

Ms. Reshmi Ghosh,
Ms. Piyali Paul

...for the Petitioner.

Mr. Rupak Ghosh,
Mr. Ratul Das.

...for the State.

The effort of the investigating agency is appreciated. The minor child has been recovered. She was kept in Sister Nivedita Children's Home, Bargodargoda within the jurisdiction of the Panskura Police Station upon observing legal formalities. The statement of the victim had been recorded under Section 164 of the Code of Criminal Procedure by the learned Chief Judicial Magistrate, Purba Medinipur.

The child has been produced in Court by the police authorities, in the company of a lady constable. The parents have also appeared before the Court. The Court had a conversation with the child, in camera. The police authorities are continuing the investigation. The investigation is in progress, as per the submissions of the police authorities. The girl has identified her parents and has expressed her desire to go back to the parents. She has also indicated that she wants to continue with her studies.

The police authorities are directed to see that the child is able to attend the school from now on, after the formalities of handing her over to the parents are over.

The Superintendent of Police, Purba Medinipur shall ensure that the investigation, which is going on, is reached to its logical conclusion in accordance with law and the police authorities shall be at liberty to incorporate such other sections as they may think necessary, in the course of the investigation. The girl is a minor and legally incapable of giving consent. All possible angles shall be looked into, during the investigation. The girl shall be handed over to the parents by the Inspector-in-Charge, Panskuar Police Station upon observing all legal formalities.

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.)