

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE
(Through Video Conference)

WPA 19628 of 2021

Sk. Jahed Ali
Vs.
The State of West Bengal & Ors.

Mr. Amitabha Ghosh
Mr. Madan Mohan Roy
... For the petitioner

Mr. Jishnu Choudhury
Ms. Amrita Panja Moulick
... For the State

The IO of the Junput Coastal Police Station is present in Court. The case diary is produced. It appears from the case diary that one Guljar Bibi is the sister of the writ petitioner Sk. Jahed Ali. Munjar Ali Saha is the nephew of the writ petitioner and married to one Hafiza Bibi. For marital discord between Munjar Ali Saha and Hafiza Bibi, disputes and differences arose with the in-laws of Munjar Ali Saha and the writ petitioner family.

The recording of the statement under Section 164 by Munjar Ali Saha before the jurisdictional Magistrate clearly indicates that he is neither missing nor untraceable. This court is not convinced that Munjar Ali Saha and his wife are untraceable. This Court is also unable to reject the submissions of the IO that Hafiza Bibi may have gone back to her mother.

The marital discord between the parties is being addressed by family elders. The First Information Report is investigated.

It is directed that the investigation be completed as expeditiously as possible, preferably within a period of one month. Final report may be submitted before the jurisdictional Magistrate.

With the aforesaid observations, WPA 19628 of 2021 stands disposed of.

The case diary is returned back to the IO.

Urgent photostat certified copy of this order, if applied for, be given to the parties on completion of usual formalities.

(Rajasekhar Mantha, J.)