

WPA (H) 54 of 2022
(Abdus Salam Vs. State of West
Bengal & Ors.)

Mr. Abdul Rakib

..... For the petitioner

Mr. Debabrata Chatterjee

Mr. Simanta Kabir

..... For the State

Mr. Rakib, learned advocate appearing for the petitioner submits that the petitioner's handicapped daughter went missing on and from 25th April, 2022. A missing diary was immediately lodged thereafter by the petitioner but appropriate steps were not taken by the police authorities and his daughter was not recovered. Aggrieved thereby, the petitioner approached this Court.

When the matter was last heard on 14th September, 2022, we were informed by Mr. Kabir, learned advocate appearing for the State that the police authorities are taking all possible steps to recover the victim lady. In view thereof, we adjourned the matter.

Today, Mr. Kabir submits that based on reliable inputs, a police team conducted raid in Maharashtra and the victim lady, who is aged about 33 years, was recovered on 21st September, 2022 from a location '*Pipe Line*' beside High Court, Bandra, Police Station - Nirmal Nagar, Mumbai. The victim lady, however, denied to accompany the police team and to come back to West Bengal. She stated that she had willingly left her

residence and does not want to return back to her parental house. Stating such fact, the victim lady herself submitted a representation addressed to the respondent no. 5.

Mr. Kabir further submits that as the victim lady was not willing to return to West Bengal, she was handed over to a safe home, namely, ‘*Sharam*’ near Salinaka Metro Station, Andheri (East), Mumbai 72. Let the report, as filed, be kept 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. The petitioner’s daughter is major. It appears that she left her residence willingly and is not inclined to return back to her parental house. The victim lady has already been handed over to a safe home by the police authorities and she is presently residing there.

In view thereof, no further 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.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Partha Sarathi Chatterjee, J.) (Tapabrata Chakraborty, J.)