

WPA (H) 65 of 2022

[Somen Sinha Vs. Smt. Peau Sinha (Mallick) & Ors.]

Mr. Meghnath Datta
Sk. Siddique Rahaman

.... For the petitioner

Mr. Sabir Ahmed
Mr. Simanta Kabir

.... For the State

Heard the learned advocates appearing for the respective parties. Let the report, as filed, on behalf of the State respondents be kept on record.

Records reveal that the petitioner has approached this Court alleging that the police authorities have not taken appropriate steps on the basis of the complaint lodged by the petitioner on 24th September, 2022.

From the complaint itself, it appears that there is a matrimonial dispute between the petitioner and his wife. About seven years earlier, the petitioner's wife willingly left her husband's residence and started residing at her parental house. She also preferred a divorce suit against the petitioner.

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. In the present case, the wife willingly left her husband's residence and is residing at her parental house. We do not find any material on

records to infer that the victim lady had been illegally detained.

In view thereof, the *habeas corpus* writ petition being **WPA (H) 65 of 2022** is dismissed.

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.)