

WPA (H) 2 of 2023
Sachida Nand Dubey
v.
The State of West Bengal & Ors.

31.01.2023 SL-01 Ct.32 (S.R.)	Mr. Kunal Ganguly Mr. Tirthankar Mukherjee Ms. Madhurima Sarkar Ms. Sucheta Pal Mr. Subhajit Samanta	... for the petitioner.
	Mr. Debabrata Chatterjee, Ld. APP Mr. Simanta Kabir	... for the State.

Pursuant to the earlier order of this Court, the Officer-in-Charge, Rabindra Sarobar Police Station has been impleaded and the petitioner has served a copy of the writ petition upon the said added respondent. Let the affidavit of service, as produced, be kept on record.

Mr. Ganguly, learned advocate appearing for the petitioner submits that the petitioner's son, namely, Bankim Chandra Dubey (in short, Bankim), was working in the post of Manager at Prime Retail India Limited having its office at 148, Rash Bihari Avenue, Kolkata – 700 029. He married one Sweety Pathak in the year 2017 and was residing at 499 VIP Bazar, Police Station - Anandapur. He went missing from his working place on and from 25th January, 2021. A missing diary to that effect was lodged at Rabindra Sarobar Police Station on 26th January, 2021 but no steps were taken by the police authorities.

Mr. Ganguly further submits that Bankim was

being threatened by the respondent no.12 and a huge amount of money was being demanded from him. Such facts were brought to the notice of the police authorities but in vain. As such, the petitioner was constrained to submit a further representation to the Deputy Commissioner of Police on 15th December, 2022.

He alleges that the petitioner has been illegally detained and the police authorities have not taken appropriate steps to recover Bankim. Aggrieved thereby, the petitioner has approached this Court.

Mr. Kabir, learned advocate appearing for the State denies and disputes the contentions of Mr. Ganguly and submits that after a missing diary was lodged at Rabindra Sarobar Police Station on 26th January, 2021, Bankim himself appeared in the Police Station and submitted a written declaration on 14th February, 2021 stating, *inter alia*, that he had left his working place willingly on and from 25th January, 2021 and that he has no complaint against anyone. A report together with the declaration of Bankim, as filed, be kept on record.

Heard the learned advocates appearing for the respective parties and considered the materials on record.

In paragraph 9 of the writ petition it has, *inter alia*, been stated that the respondent no.12 had forcibly married Bankim in spite of the fact that he was legally married to one Sweety Pathak. The complaint lodged by the petitioner before the Deputy Commissioner of Police

on 15th December, 2022 is also a complaint against Vinita Mahato @ Pinky being the respondent no.12. Bankim is a married person and he himself appeared before the Rabindra Sarobar Police Station and submitted a declaration that he had no complaint against anybody and that he had willingly left his working place. We do not find any material on record to infer that Bankim had been illegally detained.

In view thereof, no further interference is called for and the *habeas corpus* petition being WPA (H) 2 of 2023 is disposed of.

There shall be no order as to costs.

Urgent certified photocopy of this order, if applied for, be supplied as expeditiously as possible.

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