

05.04.2023.
Court No.13
Item No. 360
ap

W.P.A. No. 4842 of 2022

**Smt. Serina Mondal
Versus
The State of West Bengal & Ors.**

Mr. Suvadip Bhattacharjee.
...For the petitioner.

Mr. Asim Kumar Ganguly,
Mr. Joydip Banerjee.
...For the State.

Affidavit-of-service filed in Court today be taken
on record.

The petitioner's husband is absconding and is
an accused in Dantan Police Station Case No. 193 of
2020 dated 11th August, 2020.

The police have investigated and filed charge-
sheet. The petitioner complains that the vehicle on
which the Narcotics were being carried, belonged to
her and was being plied on an agreement with the
private respondent.

According to the petitioner, the police have not
addressed the same and her vehicle is still lying seized
by the police.

The petitioner's remedy was to have applied
before the learned Magistrate under Chapter 34 of the
Code of Criminal Procedure.

Admittedly, the petitioner's husband is
absconding.

This Court is even otherwise not inclined to pass any order in respect of a writ petition filed on behalf of an absconder.

The report of the Inspector-in-charge, Dantan Police Station dated 4th April, 2023 in the form of instructions addressed to the Government Pleader, High Court, Calcutta be taken on record.

In view of the above, the instant writ petition must fail and is hereby dismissed.

There will be no order as to costs.

All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)