

WPA (H) 28 of 2021

[Anarna Nandi (Sikdar) Vs. The State of
West Bengal & Ors.]

Mr. Uday Sankar Chattopadhyay
Ms. Rajashree Tah

..... For the petitioner

Mr. Sabir Ahamed
Mr. Simanta Kabir

..... For the State

Mr. Chattopadhyay, learned advocate appearing for the petitioner submits that the petitioner's husband, namely, Asish Kumar Nandi (in short, Asish) was working as an assistant teacher in Harishchak High School in the district of Hooghly since the year 1993. The petitioner and Asish, who is presently aged about 56 years, were peacefully residing along with their son at Bidhanpally, Shripally, P.O., P.S. & District – Burdwan. Suddenly, on and from 1st October, 2018, Asish went missing. Such fact was immediately intimated to the respondent no. 8 on 4th October, 2018 but appropriate steps were not taken by the police authorities. Aggrieved thereby, a further complaint was lodged on 25th October, 2018, but in vain.

He further submits that the petitioner and her physically disabled son are in extreme financial distress since the school authorities have already stopped the salaries of the petitioner's husband. In the said

conspectus, the petitioner was constrained to prefer the present *habeas corpus* petition.

Records reveal that by an order dated 26th July, 2021 a coordinate Bench of this Court directed the respondent no. 7 to file a report detailing the steps taken on the basis of the complaints lodged by the petitioner. Pursuant to such direction, a report was filed by the Superintendent of Police, Purba Bardhaman. In the said report it was, *inter alia*, observed that '*SIT has been formed consisting of 03 efficient officers namely – 1) SI Brajagopal Halder, IO of the case 2) SI Dipak Sarkar of Cyber Crime PS & 3) SI Chiranjit Gosh, O/C SOG Cell under direct supervision of Dy. SP (HQ), Purba Bardhaman*'. Upon perusal of the said report, a coordinate Bench of this Court by an order dated 7th June, 2023 directed the Superintendent of Police, Purba Bardhaman to file a further report detailing the status of the investigation.

Today, Mr. Kabir, learned advocate appearing for the State respondents has filed a report dated 7th August, 2023. In the said report, it has, *inter alia*, been stated that in course of investigation, one Sk Sahid, who was acquainted with Asish, was examined. Based on the inputs (Technical) and other source information, the investigating officer conducted raids for recovering Asish and also consulted UD (Unnatural Death) Case Register. Based from the inputs from SOG Cell, Purba

Bardhaman, the SIT analyzed the CDR/SDR Search results of phone numbers of a suspected person, namely, Reba Das. Details were also sought for from the Principal Commissioner of Income Tax-5 as regards Asish's tax file. However, Asish could not be recovered. Let the said report, as placed, be kept on record.

It appears that Asish is presently 56 years old and he went missing while he was working as an assistant teacher in a school. The police authorities, pursuant to directions passed earlier, had made an endeavour to recover Asish. This Court cannot convert itself into a monitoring agency and supervise the investigation indefinitely. We also do not find any material to infer that the petitioner has been illegally detained.

In view thereof, no further interference is called for in the present petition and the same being **WPA (H) 28 of 2021** is disposed of.

Nothing in this order will, however, prevent the petitioner from taking appropriate steps before any other forum, if so advised and in accordance with law.

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.)