

03-01-2023

ct no. 13

Sl.1

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WPA 22467 of 2017

Mamata Mistry

-Versus-

The State of West Bengal & Ors.

Mr. Lakshmi Nath Bhattacharya

....for the petitioner

Mr. Nilatpal Chatterjee,

Mr. Amrita Lal Chatterjee

...for the State

The Kultali Police Station has filed a report dated January 2, 2023. The same is taken on record.

It appears from the report and the photographs thereto that Rina Mistry is since happily married to one Amit Mistry, is living in Alwar, Rajasthan. She has three children out of the wedlock.

It further appears that in respect of the charge sheet being Kultali Police Station Charge Sheet No. 486 dated July 22, 2017, and the resultant trial, has resulted in an acquittal of all the accused. One Namita Mistry, who ought to have been accused, has been named as a witness. All the accused persons have been acquitted.

Counsel for the petitioner, Mamata Mistry, mother of Rina Mistry, submits that his client was

kidnapped and sold for a sum of Rs. 60,000/- by Namita Mistry.

This Court sees the same dilemma in the sense that while on one end Rina Mistry is happily living with her three children and her husband at Alwar, Rajasthan, the mother continues to complain that her daughter has been sold.

In view of the above, in the event, Rina Mistry voluntarily and without any coercion lodges a formal complaint with the Kultali Police Station, steps may be taken in accordance with law, after due consultation with the concerned Investigating Officer of the CID, West Bengal.

The Kultali Police Station shall continue to monitor the activities of Namita Mistry and the other three accused persons.

With the aforesaid observations, the writ petition shall stand disposed of.

There shall be no order as to costs.

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

(Rajasekhar Mantha, J.)