

19.10.2023
Item No.01
Court No.11
Avijit Mitra

WPA (H) 71 of 2023

In re: An application under Article 226 of the
Constitution of India;

And

Bidyut Chakraborty

-versus-

The State of West Bengal & ors.

Mr. Apurba Ghosh,

Mr. Souvik Das

....for the Petitioner

Mr. Debabrata Chatterjee,

Ms. Amrita Panja Moulick

...for the State

Affidavit of service filed by the petitioner be kept on
record.

Mr. Das, learned advocate appearing for the
petitioner submits that the petitioner, namely, Bidyut
Chakraborty (in short, Bidyut) married Rimpa
Chakraborty (in short, Rimpa). They were blessed with a
male child, who is presently aged about 7 years. They
were peacefully residing at the address given in the cause
title. He further submits that Rimpa went missing on and
from 9th October, 2023. Such fact was intimated to the
local police Station but no steps were taken. As such the
petitioner submitted a further representation to the police
authorities on 10th October, 2023 but in vain. Aggrieved
by such inaction on the part of the police authorities
Bidyut has approached this Court.

Ms. Panja Moulick, learned advocate appearing for
the State respondents denies the contention of Mr. Das

and submits that there was a matrimonial dispute between Bidyut and Rimpa. Alleging that she had been tortured and had been driven out of her matrimonial house, Rimpa lodged a complaint which was registered as Galsi Police Station Case No.610 of 2023 dated 09th October, 2023 under Sections 498A/406 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

In course of investigation, it was found that Rimpa was residing along with her child in a rented flat at Ghatak Building, Galsi Bazar, Police Station Galsi, District Burdwan. Let the written instruction, as produced, be kept on record.

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

We do not find any material on record to infer any illegal detention. Rimpa, an adult lady, is residing along with her child at the place mentioned hereinabove. In view thereof, no further interference is called for in the present *habeas corpus* petition being WPA (H) 71 of 2023 and the same is dismissed.

There shall, however, be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be given to the learned advocates for the parties.

(Siddhartha Roy Chowdhury, J.) (Tapabrata Chakraborty, J.)

