

WPA (H) 70 of 2022
Kartick Chowdhury
v.
State of West Bengal & Ors.

02.01.2023	Mr. Partha Sarathi Das	
SL-01	Mr. Kausik Biswas	... for the petitioner.
Ct.32	Mr. Debabrata Chatterjee, Ld. APP	
(S.R.)	Mr. Simanta Kabir	... for the State.
	Mr. Ramdulal Manna	
	Ms. Manju Manna (Dey)	
	Mr. Sayan Mukherjee	... for the respondent no.8.

Mr. Das, learned advocate appearing for the petitioner submits that the petitioner is the uncle of Neha Chowdhury (in short, Neha). Neha went missing from her parental house on and from 28th August, 2022. A complaint to that effect was lodged in the local police station and though on the basis of the same, Habibpur Police Station Case No.284 of 2022 dated 28th August, 2022 under Sections 363/365 of the Indian Penal Code was registered, appropriate steps were not taken by the police authorities to recover Neha. Alleging such inaction, a representation was submitted to the Superintendent of Police, Malda on 2nd November, 2022 but no steps were taken and as such, the petitioner was constrained to approach this Court.

Mr. Manna, learned advocate enters appearance on behalf of the respondent no.8 and denies the contention of the petitioner.

Mr. Kabir, learned advocate appearing for the State

submits that on the basis of the petitioner's complaint Habibpur Police Station Case No.284 of 2022 dated 28th August, 2022 was registered and in course of investigation, Neha was recovered on 29th November, 2022. Neha's statements were recorded under Section 164 of the Code and a perusal of the same would reveal that she willingly left her parental house and that she is presently residing at Kolkata.

Mr. Kabir further informs this Court that the principal accused, namely, Rudra Murmu surrendered before the learned Court below and he was subsequently enlarged on bail. Let the documents, including the recovery memo and the statement of Neha, as produced, be kept on record.

Heard the learned advocates appearing for the respective parties.

It appears that Neha is an adult lady. She willingly left her parental house and is presently residing at Kolkata. We do not find any material to infer that she had been illegally detained.

In view thereof, no further interference is called for in the present application.

The *habeas corpus* petition being WPA (H) 70 of 2022 is, accordingly, disposed of.

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