

01. 20.12.2024
Court No.29.
(Pritam)

WPA (H) 69 of 2024

**Mina Kumari Shaw @ Mina Jaiswal
-Vs.-
The State of West Bengal & Ors.**

Mr. Sabyasachi Roy
.....for the petitioner.

Mr. Suparna Mukherjee, Sr. Adv.
Mr. Sabarjit Mukherjee,
Mr. Arindam Kundu,
Ms. Debolina Dey
.....for respondent nos. 8 to 22.

Mr. Rajkrishna Mondal
....for the Corpus.

Mr. Suddhadev Adak
....for the State.

Dictated by Arijit Banerjee, J.

1. This writ petition was filed by the wife of a person who apparently went missing, claiming issuance of a writ of Habeas Corpus.
2. We have heard learned counsel for the parties. The missing person is the husband of the petitioner. It appears that a criminal case has been initiated against the family members of the missing person on the basis of a complaint lodged by the wife of the missing person who is the present petitioner. She has alleged that the family members of her husband has abducted or caused abduction of her husband.

3. The State has filed in court today statement of the so-called missing person, namely, *Sandip Jaiswal* recorded under Section 164 Cr.P.C in connection with the aforesaid criminal case. From that statement, it appears that *Sandip* was apparently driven out of the matrimonial home by his wife and he roams around like a vagabond. There is huge matrimonial discord between *Sandip* and his wife. He stated before the Magistrate that he does not want to live with anybody and he wants to stay on his own.
4. It, therefore, appears that *Sandip* cannot be said to be a missing person anymore. He has been traced out. In fact, he is present in court today and has been identified by learned State counsel and by the Investigating Officer of the aforesaid criminal case.
5. In that view of the matter, there can be no reason to keep this writ petition pending.
6. The writ petition being WPA(H) 69 of 2024 is, accordingly, disposed of.
7. Urgent Photostat certified copy of this order may be supplied to the parties upon all formalities, if applied for.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)