

Sl.56
26.09.2024
S. Gayen
ct.no.7

W.P.A. 21973 of 2024

**Hari Pada Das
Versus
State of West Bengal and Ors.**

Mr. Balaram Pandit
Mr. Krishna Deo Das
...for the petitioner.

Mr. Suman Ghosh
Ms. Munnmun Tewari
...for the State Respondents.

The learned advocate appearing for the petitioner prays for leave to file a supplementary affidavit. Such leave is granted and the supplementary affidavit filed in Court today is taken on record. A copy of such supplementary affidavit has already been served upon the learned advocate for State in course of hearing of this writ petition.

The petitioner has prayed for a direction upon the Superintendent of Police and Inspector-in-Charge of Egra Police Station to trace out and rescue the missing and abducted daughter of the petitioner and to investigate the Egra P.S. Case No. 472/2024 dated 21st of July, 2024.

The learned advocate appearing for the State files a report of the Inspector-in-Charge, Egra Police

Station dated September 23, 2024, which is taken on record. It appears therefrom that an application filed by the 7,8,9 and 10th respondents under Section 482 of the BNSS of 2023 being CRM(A) 3094 of 2024, the Hon'ble Division Bench in its order dated September 5, 2024 noted that the girl of the petitioner appeared before the Hon'ble Division Bench and submitted that she left her paternal house voluntarily and presently residing with her husband, Sakir Saha @ Saker Saha who is the 7th respondent in this writ petition.

Pursuant to the order passed by the Hon'ble Division Bench, the learned Judicial Magistrate recorded the statement of the victim under Section 164 CrPC.

Therefore, the prayer made by the petitioner for tracing out and or rescuing her missing daughter stands satisfied.

However, since the learned advocate appearing for the State submits that the investigation is in progress, the concerned investigating officer is directed to complete the investigation expeditiously. In the event, the petitioner is not satisfied with the further progress of investigation, it will be open to him to approach the concerned court in accordance with law.

In the supplementary affidavit the petitioner has specifically stated that another complaint has been lodged with the Inspector-in-charge, Egra Police Station dated September 20, 2024 through electronic media.

The Inspector-in-Charge, Egra Police Station being the 6th respondent is directed to consider the said complaint and take action in accordance with law.

With the above observations and directions the writ petition is disposed of.

However, there will be no order as to costs.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Hiranmay Bhattacharyya, J.)