

744.
25-11-2024
(Ct. no.29)
debajyoti

**IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
APPELLATE SIDE**

WPA (H) 87 of 2024

**Achintya Sarkar
Vs.
The State of West Bengal & Ors.**

Mr. Prosenjit Mukherjee,
Mr. Saptarshi Chakraborty,
Mr. Aslam Parvez
... For the Petitioner.

Mr. Rana Mukherjee, learned APP,
Mr. Simanta Kabir
... For the State.

The petitioner, who is the father of the missing girl who was about 17 years 11 months old when she went missing, says that still his daughter has not been recovered. His daughter has been kidnapped by the private respondents and their associates.

The State tells us that a criminal case has been initiated on the basis of complaint lodged by the petitioner. The State produces the Case Diary. We see the statement of the missing girl recorded under Section 183 of BNSS, 2023. She says that her parents were planning to get her married forcibly to a boy. She was not prepared for marriage. She was rebuked by her parents. She was also beaten up by her parents. Therefore, she went away to her maternal aunt's house without telling her parents. Nobody forced her to go there. Now, she wishes to continue to be with her maternal aunt. If she is forced to return home, her parents will again beat her up.

One thing is clear that the girl is not missing any more. She is now a major. She is at liberty to choose with whom she wants to reside. In view of the aforesaid, nothing survives in this Habeas Corpus Writ Petition which is, accordingly, disposed of.

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

Urgent photostat certified copies of this order, if applied for, be supplied to the parties on compliance of all necessary formalities.

(Subhendu Samanta, J.) (Arijit Banerjee, J.)