

D/L23
13.12.2024
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ct.no.35

W.P.A.29506 of 2024

**Sanjoy Dutta
Versus
The State of West Bengal & Ors.**

Mr. Moyukh Mukherjee
Ms. Sagnika Banerjee.
...for the petitioner.

Mr. Vimal Kumar Shahi
Mrs. Sanchayita De.
...for the State-respondents.

Supplementary affidavit filed by the petitioner be kept with the record.

The present writ petition was instituted for the purpose of one Kingshuk Sengupta, who according to the petitioner, was illegally confined in a Rehabilitation Centre. Petitioner submits that the said Kingshuk Sengupta has been released from the said Rehabilitation Centre. However, there are materials which would reflect that the said Kingshuk Sengupta was wrongfully confined by his wife with the aid of her associates.

Learned advocate appearing for the State has submitted a report. Report reflects that the police authorities have collected the medical documents from the concerned Rehabilitation Centre being the

Genesis Foundation. To that effect, the police authorities also conducted an enquiry and, according to the police authorities, the said Kingshuk Sengupta was under treatment and there was no illegal confinement.

Learned advocate appearing for the petitioner insists that since the cognizable offence has been made out, case should be registered by the police authorities.

Be that as it may, the petitioner and/or the affected person is granted liberty to approach the jurisdictional Magistrate for invoking the appropriate provisions of law with the documents in their custody for necessary steps. Learned Magistrate will assess regarding the documents and thereafter pass orders adhering to the provision of law.

With the aforesaid observations, WPA 29506 of 2024 is disposed of.

Report submitted by the State be kept with the record.

There will be no order as to costs.

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

Urgent photostat certified copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Tirthankar Ghosh, J.)