

D/L 21
07.02.2025
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ct.no.35

W.P.A.183 of 2025

**Sri Aswini Kumar Panda
Versus
The State of West Bengal & Ors.**

Mr. Phiroze Edulji
Mr. Anand Keshari
Ms. Soumili Choudhury
Ms. Priyanka Bhattacharya
Ms. Anuradha Das.
...for the petitioner.

Mr. Suman Sengupta
Ms. Amrita Panja Moulick.
...for the State-respondents.

Mr. Amajit De.
...for the CBI.

Mr. Arun Kumar Maiti (Mohanty)
Mr. Anirban Mitra
Mr. Debasis Tandon.
...for the NIA.

The writ petition was preferred at the instance of an anxious father who was under the impression that her daughter was forcefully abducted and there was possibility of human trafficking across the border. To that effect, on the complaint of the present petitioner, Baguiati Police Station Case No.762 of 2024 dated 26.12.2024 was registered for investigation. The Investigating Authority arrived at their conclusion pursuant to direction of a co-ordinate Bench of this Court, the statement under

Section 183 of the BNSS was recorded. The said statement speaks for itself regarding volition of the lady who has been shown to be a victim of circumstance by the father and for which the police case was registered for investigation.

The aspects on which the petitioner apprehended relating to the mishap which could have happened on emotion and the statement under Section 183 of the BNSS before the learned Magistrate, 2nd Court, Barasat reflect that the victim/lady is aged 29 years, she on her own has left her residence and has married on her own free will with a person of her choice.

In view of the aforesaid, I am of the opinion that the findings of the police authorities are not upon conjectures but on facts substantiated and collected in course of the investigation. As such, there is no scope for interference in respect of the prayers advanced in the writ petition.

With the aforesaid observations, WPA 183 of 2025 is disposed of.

There will be no order as to costs.

Case diary produced before this Court is returned to the learned advocate appearing on behalf of the State.

A copy of the statement under Section 164 of the Code of Criminal Procedure be handed over to the learned advocate appearing on behalf of the petitioner.

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.)