

D/L 12
27.01.2025
Kausik
ct.no.35

W.P.A. 1495 of 2025
With
CAN 1 of 2025

Chandan Banerjee
Versus
State of West Bengal & Ors.

Mr. Soumya Nag
Mr. Aditya Tiwari
Ms. Namrata Chatterjee

...for the petitioner.

Mr. Partha Chakraborty

...for the private respondent nos. 7, 8 & 9.

Mr. Shataroop Purkayastha
Mr. Subrata Banerjee
Ms. Jagriti Bhattacharya

...for the respondent no. 10.

Ms. Riya Ballav

...for the private respondent nos. 11 & 12.

Mr. Amitesh Banerjee, Sr. Adv.
Ms. Ipsita Banerjee
Mr. Akash Dutta

...for the added respondents.

Mr. K. J. Yusuf, AGP
Mr. Sanjay Mukherjee

...for the state.

Report submitted by the State in connection with the instant writ petition which arose out of Parnashree PS Case No. 523 dated 26.08.2024 be kept with the record. The report pursuant to the

direction of this court encloses the statement of the child/victim.

I find that the child has expressed her desire to go to the applicants namely Khokan Patra and Jaya Patra.

It has been stated that the exams are to commence from 18.02.2025. Accordingly, the child, 'X' as named in the statement of the lady Sub-Inspector, Puja Dey, be released on personal bond of the applicant Khokan Patra to the satisfaction of the learned ACJM, Alipore in connection with the Parnashree PS Case No. 523 dated 26.08.2024.

In view of the wellbeing of the child and the intention expressed by her to be in custody of the applicants namely Khokan Patra and Jaya Patra, learned Magistrate would ensure keeping in mind that the examinations are scheduled to be held on and from 18.02.2025, that she be released from the shelter home in course of the day.

Learned ACJM, Alipore would act on server copy of this order.

The Investigating Officer of the case should be present along with the case diary and the order of this court before the learned ACJM, Alipore at 2.00 p.m. on 27.01.2025.

So far as the subject matter of the main writ petition is concerned from the prayers it reveals that the petitioner namely Chandan Banerjee was dissatisfied with the investigation since the girl could not be traced. Since the Investigating Officer has traced out the girl and the investigation is progressing, no interference is made by this court at this stage.

So far as the merits of the case is concerned, the Investigating Officer of the case will take the investigation to its logical conclusion considering the facts.

The other parties, who are respondents in the main writ petition as well as the petitioner, would be at liberty to approach the jurisdictional civil court for further remedies, if they are so advised.

With the aforesaid observations WPA 1495 of 2025 along with CAN 1 of 2025 is disposed of.

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

(Tirthankar Ghosh, J.)