

D/L 11
17.02.2025
Kausik
ct.no.35

W.P.A. 1786 of 2025

**Riya Ghosh
Versus
The State of West Bengal & Ors.**

Mr. Palash Bapari

...for the petitioner.

Mr. Susovan Sengupta, Sr. Adv.
Mr. Tarak Karan

...for the state.

Police report dated 17.02.2025 reflects that the Enquiry Officer after conducting local enquiry came to learn that the missing person namely Sukesh Ghosh do not have a comfortable relation with his wife and his family members and is involved in an extramarital affair with a lady namely Piu Roy and was staying at Ichhlabad under Burdwan Police Station. Suddenly he left Ichhlabad.

So far as this extramarital relationship is concerned and the missing of the said Sukesh Ghosh is concerned earlier a case was recorded by Raina Police Station being Raina PS Case No. 171/2024 dated 17.04.2024 under sections 365/120B/34 of the Indian Penal Code and the same finally ended as mistake of fact.

Accordingly report was submitted as the person namely Sukesh Ghosh was recovered from

Siliguri Park within the district of Darjeeling and his statement under section 164 Cr.P.C. reflected that he was neither abducted nor kidnapped.

The present information has been furnished by one Mukesh Ghosh. To that effect, Burdwan PS G.D.E. No. 1081/2024 dated 12.08.2024 has been registered and steps have been taken by pasting photographs of the missing person at different conspicuous places. Information has been sent to the district police station and reliable sources engaged.

In view of the aforesaid and the report so submitted, I am of the opinion that the police authorities are taking proper steps. In case the petitioner intends to proceed further, she would be at liberty to approach the jurisdictional court by way of section 175(3) of the BNSS or section 223 of the BNSS.

Learned Magistrate would call for a preliminary report from the police authorities and thereafter proceed in accordance with law.

With the aforesaid observations WPA 1786 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.)