

03.09.2025

rpan /05

WPA (H) 69 of 2025

Raj Kumar Ghosh

- Versus -

The State of West Bengal & Others

Mr. Dhananjay Banerjee
...for the Petitioner.

Mr. Amitabrata Roy,
Mr. Sudipto Panda,
Mr. Shibasis Banerjee
... for the State/Respondents.

Affidavit-of-service, as filed, be kept on record.

The present writ petition has been preferred *inter alia* praying for issuance of necessary direction upon the respondent nos. 2 and 3 to take steps to recover the petitioner's daughter and to produce her before this Court.

Mr. Banerjee, learned advocate appearing for the petitioner submits that the petitioner's daughter, who is presently aged about 19 years, went missing on and from 15th July, 2025. Such fact was immediately reported to the police authorities levelling specific allegations against the respondent no.4. However, appropriate steps were not taken by the police authorities and the petitioner's daughter was not recovered. Aggrieved thereby, the petitioner was constrained to approach this Court.

Mr. Panda, learned advocate appearing for the State/respondents submits, upon instruction, that in course of inquiry on the basis of the information furnished by the petitioner, it had been ascertained that the petitioner's daughter had already married the respondent no.4 on 16th July, 2025 and they are presently residing as husband and wife at House No.67/2, Balaji Colony, Neredmet Road, Secundrabad – 500 056, Telangana. The petitioner's daughter had also forwarded a representation along with an affidavit to the respondent no.3 stating *inter alia* that she had married the respondent no.4 and is peacefully living with him. Let the documents, as produced, be kept on record. Copies of the said documents have also been handed over to Mr. Banerjee in Court today.

We have heard the learned advocates appearing for the respective parties and considered the materials on record.

A writ in the nature of *habeas corpus* is a prerogative writ by virtue of which the causes and validity of detention of a person are investigated by a summary procedure. Such jurisdiction cannot be used to usurp the ordinary administration of criminal justice.

From the records, as placed, it appears that the petitioner's daughter had already attained majority and had also married the respondent no.4. There is no material on record to infer that the petitioner's daughter has been illegally detained.

In view thereof, no further interference is called for in the present writ petition and the same is, accordingly, disposed of.

Nothing in this order will prevent the petitioner from initiating proceedings before any other court or forum, seeking relief, in accordance with law.

Urgent certified photocopy of this order, if applied for, be supplied as expeditiously as possible.

(Reetobroto Kumar Mitra, J.) (Tapabrata Chakraborty, J.)