

20.01.2025
Item No. 1018.
Court No.29.
AB

W.P.A. (H) 76 of 2024

**Mithu Kar
Vs
The State of West Bengal & Others**

Mr. Masud Karim,
Mr. Madhusudan Chakraborty,
Mr. Dyutiman Banerjee,
Mr. Deb Kumar Deashifor the Petitioner.

Mr. Rana Mukherjee, Id. APP
Mr. Simanta Kabirfor the State.

Dictated by Arijit Banerjee, J.

1. Report dated January 20, 2025, filed by the Assistant Commissioner of Police, Detective Department, Howrah Police Commissionerate, be kept with the records.
2. The material portion of the said report reads as follows:

“In course of investigation of the case a raid was conducted under Chikhli Police Station, Pimpri, Pune Maharashtra and the accused person of this case namely Raju Majumdar (35 yrs) S/O Makhan Majumdar of Paschim Similia PS Ranaghat, Nadia, West Bengal was identified at Sant Krupa Housing Society, More Basti, Tower Lane under PS-Chikhli, Pimpri, Pune, Maharashtra with the assistance of the local police station. During this raid the minor victim girl was also recovered from the same place. As such the accused person Raju Majumdar was arrested after maintaining all legal formalities. Both the accused person and the minor victim girl were brought Howrah after maintaining all legal formalities. I personally interact with the minor girl. Thereafter, I produced the victim girl before the Hon’ble Chairperson, CWC, Howrah while the arrested accused person was produced before the Hon’ble Chief Judicial Magistrate, Howrah with a prayer for adding section 4/6 POCSO for the sake of investigation of this case.”

3. Therefore, we see that the minor girl has been recovered and cannot be said to be missing any more.

4. Learned Advocate for the State says that the petitioner, being the mother of the minor girl, was at all material time aware of the whereabouts of the girl. This habeas corpus writ petition is an abuse of the process of Court.

5. The State Administration will be at liberty to take such steps against the petitioner as they may be advised, in accordance with law.

6. We see no reason to keep this writ petition pending.

7. WPA (H) 76 of 2024 is, accordingly, disposed of.

8. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)