

WPA (H) 88 of 2025

(Merup Sk. & Anr. Vs. The State of West Bengal & Ors.)

**Sk. Mustafi Rahaman
Ms. Saswati Manna
Mr. Musharraf Alam Sk.**

..... For the petitioners

**Mr. Amitabrata Roy, Ld. Govt. Pldr.
Mr. Dipanjan Datta, Ld. Sr. Govt. Adv.
..... For the State**

The present writ petition has been preferred primarily seeking a writ of *habeas corpus* to produce one Ms. Swati Majhi (in short, Swati).

Mr. Rahaman, learned advocate appearing for the petitioners submits that the petitioner no. 1, who is aged about 22 years, was having a love relationship with Swati and in the month of October, 2025, both of them decided to get married. However, on 2nd October, 2025, some police personnel from Kalna Police Station came to the residence of the petitioners and threatened to arrest them. The petitioners went to record the entire incident before the respondent no. 4 but they were not even allowed to enter the police station. Admittedly on 2nd October, 2025, Swati was not in the house of the petitioners but the police authorities threatened that they would arrest the petitioners if they do not disclose the whereabouts of Swati. Aggrieved thereby, the petitioners have approached this Court.

Mr. Dutta, learned senior Government advocate appearing for the State respondents, however, denies and disputes the contention of Mr. Rahaman and submits that one complaint was lodged by Swati's mother alleging that Swati had been kidnapped. On the basis of such complaint, Kalna Police Station Case No. 979 of 2025 dated 3rd October, 2025 under Sections 137(2)/140(3) of the Bharatiya Nyaya Sanhita was registered. In connection with the said case, Swati was produced before the learned jurisdictional magistrate and she expressed her willingness to return to her paternal house and accordingly, she was handed over to her parents. Let the documents, as placed before this Court by Mr. Dutta, be kept on record.

Heard the learned advocates appearing for the respective parties and considered the materials on record.

It appears that the petitioner no. 1 was allegedly having a love relationship with Swati. A complaint was lodged by Swati's mother alleging that she had been kidnapped. In course of such investigation, appropriate steps were taken by the police authorities and Swati was recovered. Presently, Swati is residing with her parents at Uttar Goara, P.S. – Kalna, Dist. – Purba Bardhaman. There is no material on record to infer that Swati had been illegally detained.

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

There shall, however, be no order as to costs.

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

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