

14.05.2025
Item No.05
Court No.11
Avijit Mitra

WPA (H) 82 of 2024

**Mamata Das & anr.
-versus-
The State of West Bengal & ors.**

Mr. Kalyan Kumar Chakraborty,
Mr. Gopal Krishna Sarkar
.....for the petitioners
Mr. Rana Mukherjee, Ld. A.P.P.,
Mr. Simanta Kabir
...for the State
Mr. Parashar Baidya,
Mr. S.M. Imtiaj
....for the respondent nos. 7 to 9

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

Mr. Chakraborty, learned advocate appearing for the petitioners submits that the petitioners' daughter went missing on and from 21st August, 2021 when she was aged about 17 years 4 months. A complaint to that effect was registered as Kaliganj Police Station case No.724 of 2024 dated 21st August, 2024 under Sections 137(2)/140(3) of Bharatiya Nyaya Sanhita, 2023. Subsequent thereto, as appropriate steps were not taken by the police authorities the petitioners were constrained to approach this Court.

Mr. Mukherjee, learned Additional Public Prosecutor appearing for the State submits that the petitioners' daughter has already been recovered and she is presently residing with her parents. Let the report, as produced, be kept on record.

Such fact has not been disputed by Mr. Chakraborty. However, placing reliance upon the averments made in a supplementary affidavit filed by the petitioners, Mr. Chakraborty submits that one Supriyo Halder, who is a relative of the principal accused being the respondent no.7 is interfering in the pending proceeding and a complaint to that effect had also been lodged by the petitioners on 21st March, 2024.

Such contention has been vehemently opposed by Mr. Baidya, learned advocate appearing for the respondent nos. 7 to 9. He submits that all the allegations levelled in the supplementary affidavit are absolutely unfounded.

Answering our query, Mr. Mukherjee submits that upon completion of investigation chargesheet has already been filed and the principal accused being the respondent no.7 is still in custody.

In the said conspectus and as the petitioners' daughter has already been recovered no further interference is called for in the present writ petition and the same is, accordingly, disposed of.

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

Urgent photostat certified copy of this order, if applied for, be given to the learned advocates for the parties.

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