

26.11.2025.
Item No. 2.
Court No. 13
ap

W.P.A. (H) 90 of 2025
Susanta Sardar
Versus
The State of West Bengal & Ors.

Mr. Shyamal Roy,
Mr. Sanjib Das.

...For the petitioner.

Mr. Amal Kumar Sen, Ld. AAG,
Mr. Sambuddha Dutta,
Ms. Debdooti Dutta.

...For the State.

1. Affidavit-of-service filed in Court today be taken on record.
2. The petitioner seeks a writ of Habeas Corpus on the State for a direction to produce his missing wife and daughter.
3. Counsel for the petitioner submits that his client's wife and daughter have been missing from 9th August, 2025 and his client was able to lodge a complaint with the help of the local Magistrate before Anandapur Police Station.
4. Learned Additional Advocate General for the State, Mr. Amal Kumar Sen, has submitted a report of Anandapur Police Station dated 19th November, 2025.
5. It appears that the wife was driven out from the house by the applicant/husband and in-laws for unable to meet the dowry demands. There are other allegations of torture by the wife including some very serious allegations against the father-in-law, which this Court is not adverting to at this stage.

6. Be that as it may, the wife has subsequently lodged a complaint with the Anandapur Police Station that has been registered as Anandapur Police Station Case No. 245 of 2025 dated 11th November, 2025 under Sections 85/115(2)/64(1)/62/351(2)/3(5) of BNS and Sections 3/4 of the Dowry Prohibition Act.

7. It is entirely the discretion of the wife whether she wishes to return to her husband's house or not.

8. Having regard to the detailed report of Anandapur Police Station as referred to hereinabove, this Court is not inclined to issue any writ of Habeas Corpus as prayed for in this writ petition.

9. The instructions in the form of report of the Officer-in-charge, Anandapur Police Station, Paschim Medinipur dated 19.11.2025 addressed to the State Advocate is taken on record.

10. Let a copy of the said report be made over to the Counsel for the petitioner in course of the day.

11. W.P.A. (H) 90 of 2025 is hereby disposed of.

12. There will be no order as to costs.

13. All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)

(Ajay Kumar Gupta, J.)

