

07.02.2025
Court No. 35

Item No.68
Rakib

W.P.A. 29623 of 2024

Sk Nayimuiddin.
VS
The State of West Bengal & Ors.

Mr. Mayukh Mukherjee,
Ms. Sarmishtha Basak,
Mr. Soumya Raha.
... for the Petitioner.

Mr. K.J. Yusuf,
Mr. Parikshit Goswami.
... for the State.

Affidavit-of-service filed by the petitioner be
kept with the record.

Memorandum-of-evidence submitted by the
State be kept with the record.

The anxiety expressed by the petitioner was
with regard to recovery of daughter of the petitioner
who was missing and for registration of FIR.

Learned Additional Government Pleader
appearing on behalf of the State has submitted the
Memorandum-of-evidence which reflects Domjur PS
Case no. 992/24 was registered for investigation.
Statements of witnesses were recorded under Section
161 of the Cr.P.C./Section 180 of BNSS. Statement of
the victim girl/lady was also recorded under Section
164 of Cr.P.C./Section 183 of BNSS.

I have considered the statement of the victim
before the learned Judicial Magistrate, I am of the

view that the report in final form which has been submitted as mistake of fact after the statement so divulged before the learned Judicial Magistrate does not suffer from any illegality.

Since the FIR has been registered and the victim girl has been recovered, I am of the opinion that the purpose for which the writ petition has been preferred is subserved.

Accordingly, WPA 29623 of 2024 is disposed of.

If the petitioner intends to exhaust any other remedy for other offences he would be at liberty to approach the concerned police station who would decide the same in accordance with law.

Case Diary be returned to the learned advocate appearing for the State.

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

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)