20. 06.10.2026
(D/L) CT. NO. 05
(ARPAN-A.R.CT.)

In The High Court at Calcutta

CONSTITUTIONAL WRIT JURISDICTION
(Appellate Side)

W.P.A. 26219 OF 2026

JEET PATTANAYAK AND ANOTHER
VS.
THE STATE OF WEST BENGAL AND OTHERS

.....

Mr. Rajesh Kshetry, Adv.
Ms. Sompurna Chatterjee, Adv.
Mr. Bittu Kumar, Adv.

... *For Petitioners*

Mr. Indradip Pal, Adv.
Ms. Sougata Pal Das, Adv.
Ms. Megha Sarkar, Adv.

... *For State*

1. Affidavit-of-service filed on behalf of petitioners is taken on record. In spite of service of notice mother of petitioner no.2 being respondent no.5 is not represented.

2. Learned advocate representing petitioners submits that as per customary rites marriage of petitioners was solemnized on 16th August, 2026 and steps are being taken by petitioners on completing formalities to register their marriage. It is also submitted that both the petitioners have crossed prescribed age limit for marriage and petitioner no.2 being a resident of Kangra District, Himachal Pradesh has left her residence in Himachal Pradesh on her own volition to marry petitioner no.1 since they were in a relationship.

3. It is further contended that respondent no.5 lodged a complaint before the concerned authority of Nurpur Police Station, Himachal Pradesh resulting in registration of FIR being Nurpur Police Station Case No.204 of 2026 dated 13th August, 2026.

4. State respondents are represented by learned advocate who submits that since criminal proceeding was

initiated based on complaint which was registered in Nurpur Police Station, Himachal Pradesh, this Court may not have territorial jurisdiction to interdict said criminal prosecution as prayed for in the writ petition.

5. On perusal of FIR which is at pages 24 to 27 of the writ petition, it appears that FIR was registered on the basis of complaint by one Kiran Bala, who is a resident of Kangra District, Himachal Pradesh, which is genesis of Nurpur Police Station Case No.204 of 2026 dated 13th August, 2026.

6. This Court does not have territorial jurisdiction to appraise validity and legality of said criminal prosecution as complaint was lodged before Nurpur Police Station, Himachal Pradesh by respondent no.5, who is a permanent resident of Himachal Pradesh and investigation might have been started by the concerned authority of Nurpur Police Station.

7. However, since it is found that both the petitioners have crossed prescribed age limit of marriage and it is also submitted that their marriage was solemnized on 16th August, 2026 as per customary rites and steps are being taken to register such marriage on compliance of necessary formalities, so long petitioners will stay in West Bengal, concerned police authorities are directed to provide necessary protection to them.

8. However, if any order/ summon/ warrant is issued in connection with Nurpur Police Station Case No.204 of 2026 dated 13th August, 2026 by the concerned authority/ forum, petitioners are required to comply with the same.

9. Writ petition stands disposed of.

10. Parties to act on the server copy of this order duly downloaded from the official website of this court.

(SAUGATA BHATTACHARYYA, J.)