

10.03.2026
Item No.4
Court No.37
CHC
(ID-266046)

In The High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side

WPA (H) 88 of 2024

Gouri Sankar Mishra
Vs.
The State of West Bengal & Ors.

Mr. Dinesh Pani, Advocate
...for the petitioner

Mr. Simanta Kabir, Advocate
...for the State respondents

1. Affidavit filed in Court be taken on record.
2. Writ petition relates to the missing son of the petitioner. Son of the petitioner went missing in 2013. Police are yet to find the whereabouts of the son of the petitioner.
3. Learned advocate appearing for the petitioner submits that, three persons stated before the police as to the whereabouts of the son of the petitioner. Police did not explore those possibilities. He submits that, the investigation now be transferred to the Central Bureau of Investigation.
4. Learned advocate appearing for the State submits that, all possible measures were taken to locate the missing son of the petitioner. Police, however, are unsuccessful as on date.

5. It appears from the records that, a missing person diary was initially lodged. Police undertook investigations. Police took steps to find the missing son. Photograph of the missing person was circulated amongst all police stations. Police explored all possibility of locating the missing person. However, such efforts did not fructify in the recovery of the missing son of the petitioner.
6. Prayers in the writ petition do not contain any relief with regard to CBI investigation as contended on behalf of the petitioner in Court today.
7. In absence of requisite pleadings and prayer in the writ petition with regard to the transfer of investigation to a different investigating agency, we are no minded to grant such relief to the petitioner.
8. Moreover, in our view, police took all requisite steps for the purpose of locating the missing person. We are not in a position to return a finding that, there was any laxity on the part of the police in tracing the missing person. We find from the records that, the missing person is an adult. There is no specific allegation as against any person with regard to the person going missing. Petitioner also is not in a position to assist the effort of locating the missing person.
9. Keeping the writ petition pending any further will not subserve any fruitful purpose.

10. No doubt, the State will take the criminal complaint to its logical conclusion. Likewise State will continue its efforts to locate the missing person.

11. **W.P.A (H) 88 of 2024** is **disposed of** accordingly.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)