09.10.2026
Item No.140 (DL)
Court No.758
AJ.

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

W.P.A. 28916 of 2025

Riya Ghosh & Anr.
-Vs-
The State of West Bengal & Ors.

Mr. Subhadeep Chatterjee,
Ms. Arpita Kundu,
Ms. N. Roy,
Mr. B. Mondal.
... for the petitioners.

1. Affidavit of service filed by the learned Advocate for the petitioners is taken on record.

2. The present writ petition has been filed inter alia for appropriate orders quashing the investigation of FIR being Krishnanagar Women Police Station Case No. 122 of 2025 dated 24.10.2025 registered for investigation into the offences punishable under Section 137(2)/140(3)/3(5) of the BNS, 2023.

3. Learned Advocate for the petitioners says that the said case is utterly false and misconceived. Learned Advocate for the petitioners submits that the petitioner no.1 is the alleged victim girl, whereas the petitioner no.2 is the alleged accused, who had kidnapped the victim girl.

4. Learned Advocate for the petitioner has also placed on record a copy of the order dated 17th December, 2025 passed in a

Habeas Corpus Writ being *WPA(H) 101 of 2025* in between *Rinku Ghosh –Vs- The State of West Bengal & Ors.* which was filed at the instance of the mother of the petitioner no.1. The aforesaid Habeas Corpus writ was dismissed on a report filed by State, wherefrom it appears that the petitioner no.1 is a 29 years old lady, who had voluntarily left her residence in order to focus on her career. It is submitted that the petitioner no.1 and the petitioner no.2 are friends.

5. In light of the aforesaid facts as reflected in the order dated 17.12.2025, this writ petition is disposed of granting liberty to the petitioner to file appropriate application seeking quashing of the Krishnagar Police Station Case No. 122 of 2025 before appropriate Court in accordance with law.

6. This Court is not inclined to exercise its jurisdiction under Article 226 of the Constitution of India since an appropriate Co-ordinate Bench of this Court has the specific determination to decide quashing applications under Section 482 of the Cr. P. C.

7. The order dated 17.12.2025 is taken on record.

8. It is expected that in the meantime the local Police Station shall not unnecessarily harass the petitioner no.2 and her family

members in connection with investigation of the said case.

9. WPA 28916 of 2025 is disposed of with the above observation without any order as to costs.

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

(Anuj Singh, J.)