

IN THE COURT OF THE JUDICIAL MAGISTRATE 5TH COURT, PASCHIM BARDHAMAN

Present : Sourav Roy

Complaint Case No. 1016/2019
(Interlocutory Application No. 01/2019 & Interlocutory Application No. 02/2019)

Priyanka Pradhan (Goswami)

v

Saugata Goswami & Anr

Order dated 18.07.2019

Today the record is put up today at the petition of the Ld. Counsel for the complainant. The complainant is present.

Ld. Counsel for the complainant files and moves a petition (I.A. 02/2019) praying for issuance of a Search Warrant. It has been contended on behalf of the Ld. Counsel for the complainant that the complainant and the accused person no. 01 are husband and wife and that out their wedlock a girl child was born on 11.08.2013. Ld. Counsel for the complainant further contends that there has been matrimonial disputes in between the parties and that they have been living separately since long. It has been further contended on behalf of the Ld. Counsel for the complainant that the accused persons taking the advantage of the situation has forcefully taken away the said minor girl child from the custody of the father of the complainant, when the complainant was not in her residence. Thus, this petition. Ld. Counsel for the complainant prays for allowing of the present petition considering the urgency of the case.

Heard the submission of the Ld. Counsel for the complainant and considered the same. Perused the pleading on record.

It appears that the present complaint case has been registered only yesterday that is 17.07.2019 and the same has been transferred to this Court for trial by the Ld. Chief Judicial Magistrate, Paschim Bardhaman on the self-same date. Although, the initial deposition of the complainant has not been conducted and accused persons have not yet entered before this Court, however, given the nature of the petition and facts of the case, this Court is convinced of the urgency of the matter. Accordingly, the petition (I.A. 02/2019) stands considered and allowed. Issue Search Warrant addressing the accused persons in order to recovery the minor girl child at once. Complainant to put in requisites.

Inspector-in-Charge, Kulti Police Station, within whose jurisdiction the complainant resides, is directed to execute the Search Warrant through his subordinates and submit a report on the next date. In the event of recovery of the said minor girl child, Inspector-in-Charge, Kulti Police Station is directed to handover interim custody of the said child to the complainant, the mother of the said child, until further orders.

Let a copy of this order along with the Search Warrant be handed over to the complainant to serve the same upon Inspector-in-Charge, Kulti Police Station, for his information and necessary compliance.

To date (04.09.2019) for appearance and S/A.

D/C by me.

Judicial Magistrate, 5th Court,
Paschim Bardhaman

Judicial Magistrate, 5th Court,
Paschim Bardhaman

IN THE COURT OF THE JUDICIAL MAGISTRATE 5TH COURT, PASCHIM BARDHAMAN

Present : Sourav Roy

Complaint Case No. 1016/2019
(Interlocutory Application No. 01/2019 & Interlocutory Application No. 02/2019)

Priyanka Pradhan (Goswami)

v

Saugata Goswami & Anr

Order dated 18.07.2019

Today the record is put up today at the petition of the Ld. Counsel for the complainant. The complainant is present.

Ld. Counsel for the complainant files and moves a petition (I.A. 02/2019) praying for issuance of a Search Warrant. It has been contended on behalf of the Ld. Counsel for the complainant that the complainant and the accused person no. 01 are husband and wife and that out their wedlock a girl child was born on 11.08.2013. Ld. Counsel for the complainant further contends that there has been matrimonial disputes in between the parties and that they have been living separately since long. It has been further contended on behalf of the Ld. Counsel for the complainant that the accused persons taking the advantage of the situation has forcefully taken away the said minor girl child from the custody of the father of the complainant, when the complainant was not in her residence. Thus, this petition. Ld. Counsel for the complainant prays for allowing of the present petition considering the urgency of the case.

Heard the submission of the Ld. Counsel for the complainant and considered the same. Perused the pleading on record.

It appears that the present complaint case has been registered only yesterday that is 17.07.2019 and the same has been transferred to this Court for trial by the Ld. Chief Judicial Magistrate, Paschim Bardhaman on the self-same date. Although, the initial deposition of the complainant has not been conducted and accused persons have not yet entered before this Court, however, given the nature of the petition and facts of the case, this Court is convinced of the urgency of the matter. Accordingly, the petition (I.A. 02/2019) stands considered and allowed. Issue Search Warrant addressing the accused persons in order to recovery the minor girl child at once. Complainant to put in requisites.

Inspector-in-Charge, Kulti Police Station, within whose jurisdiction the complainant resides, is directed to execute the Search Warrant through his subordinates and submit a report on the next date. In the event of recovery of the said minor girl child, Inspector-in-Charge, Kulti Police Station is directed to handover interim custody of the said child to the complainant, the mother of the said child, until further orders.

Let a copy of this order along with the Search Warrant be handed over to the complainant to serve the same upon Inspector-in-Charge, Kulti Police Station, for his information and necessary compliance.

To date (04.09.2019) for appearance and S/A.

D/C by me.

Sd/- Sourav Roy
Judicial Magistrate, 5th Court,
Paschim Bardhaman

Sd/- Sourav Roy
Judicial Magistrate, 5th Court,
Paschim Bardhaman

IN THE COURT OF THE JUDICIAL MAGISTRATE 5TH COURT, PASCHIM BARDHAMAN

No _____ Dated _____

Copy of the order along with the Search Warrant addressed to the Inspector-in-Charge, Kulti Police Station, for his information and necessary compliance.

Judicial Magistrate, 5th Court,
Paschim Bardhaman