

Sn 10.9.2020
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W.P.A.5897 of 2020
C.A.N. 1 of 2020
(Old C.A.N.4023 of 2020)
Through Video Conference

DEVENDRA KUMAR CHOWHAN VS. STATE OF
WEST BENGAL & ORS.

Mr. Kushal Chatterjee
Mr. Debabrata Roy
 ..for the petitioner
Mr. Samrat Sen
Ms. Amrita Panja Moulik
 ..for the State

In view of the urgency, the matter is taken up virtually. The C.A.N.1/2020 (Old C.A.N.4023 of 2020 is disposed of.

This writ petition has been filed by the petitioner for a direction upon the Officer-in-Charge, Hare Street Police Station, Kolkata, to complete the investigation arising out of Hare Street P,S. Case No.15 dated January 15, 2018 under Sections 465/467/468/471/120B of the Indian Penal Code.

It is the contention of the petitioner that despite there being an order of the learned Chief Metropolitan Magistrate, Calcutta, dated November 9, 2017, by which, the Officer-in-Charge, Hare Street Police Station, was directed to serve an investigation into the complaint lodged by the petitioner, nothing has been done.

The contention of the petitioner is that despite a direction from the learned Chief Metropolitan Magistrate, Calcutta, the police authorities are unnecessarily delaying the investigation and on account of such delay, the petitioner is suffering irreparable loss and injury, he is not being able to function as a partner of the partnership business. It is also submitted that the petitioner is in the dark about the transactions, documents etc., which allegedly have been forged by the respondent no.4.

Affidavit of service has been filed before this Court showing that the respondent no.4 refused to accept the service. The envelope containing endorsement of refusal along with a copy of the writ petition sent to the respondent no.4 has been filed before this Court. Another envelope containing the writ petition has been filed before this Court, containing the endorsement 'intimation sent to the petitioner' "unclaimed returned". The affidavit of service and the envelopes filed in Court are on record.

The learned Advocate appearing on behalf of the State respondents submits that the investigation has been completed and final report has been filed before the learned Chief Metropolitan Magistrate, Calcutta.

Thus no further orders need be passed in this writ petition as the investigation has been concluded.

This writ petition is disposed of.

Liberty is granted to the petitioner to take steps in accordance with law.

There will, however, be no order as to costs.

Parties are directed to act on the learned Advocate's communication.

(Shampa Sarkar, J.)

