

(14)
14.10.2020
(p.jana)

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

(Via Video Conference)

WPA 6544 of 2020
(IA No. CAN 1/2020)
(Old No : CAN 5309 of 2020)

Sri Subhadip Paul
-versus-
The State of West Bengal & ors.

Mr. Prasenjit Debnath
Mr. Punam Basu,
... for the petitioner.

Mr. Amal Kumar Sen, AGP
Mr. Lal Mohan Basu,
Mr. Jaladhi Das,
... for the State respondents.

The petitioner is the owner of a heavy vehicle. He enters into an agreement for sale of the said vehicle with private respondent nos. 4 and 5.

The petitioner on receipt of a part consideration price handed over the possession of the said vehicle to the said private respondents but they did not pay the balance of the total consideration price.

The petitioner has initiated a criminal case being Pandua Police Case No. 76 of 2020 dated 01.03.2020 under Sections 420/406 of the Indian Penal Code against the said private respondents.

The petitioner complains that the police authorities are not properly investigating the said criminal case.

Mr. Amal Kumar Sen, learned AGP appearing on behalf of the State respondents files a report dated August 26, 2020 regarding progress of the said criminal case which is taken on record.

It appears from the said report that one of the private respondents being one of the accused in the said criminal case was arrested and the police is conducting further investigation into the said criminal case.

The grievance of the petitioner therefore has been taken care of as such nothing is left to be decided in the writ petition.

WPA 6544 of 2020 is disposed of with the above terms.

The connected urgency application being CAN 5309 of 2020 is also disposed of accordingly.

Affidavit-in-opposition since has not been invited the allegations made in the writ petition are deemed to have been denied by the respondents.

There shall be no order as to costs.

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

(Biswajit Basu, J.)