

31.08.2021

Sl. No.13

Court No.8
BM.

WPA 13051 of 2021

SANTANU CHAKRABORTY

Vs.

STATE OF WEST BENGAL AND ORS.

(Via Video Conference)

Mr. Achyut Basu

Ms. Sonam Basu

Ms. Punam Basu

... for the petitioner

Mr. Subhabrata Datta

Mr. Santanu Panja

... for the State

The petitioner has sought for direction upon the respondent no.2 to take steps for recovery of possession of the vehicle of the petitioner during investigation in connection with Bijpur Police Station case No.17 of 2021 dated 09.01.2021 under Section 406 of the Indian Penal Code. It is pointed out that the FIR was registered on the basis of an application under Section 156(3) of the Code of Criminal Procedure because the local police had not started any case against the accused named in the FIR. There is no copy of such application under Section 156(3) of the Code of Criminal Procedure annexed to the writ application but a specific case has been started by recording the statement of the accused and the accused has already been enlarged on bail as per the

submission of Mr. Subhabrata Dutta learned advocate for the State.

Therefore, this court does not find any reason to direct the investigating officer for apprehending the private respondent no.4, however, the investigating officer will take all endeavour to track the vehicle in question and to seize the same.

With this observations and directions the writ application being WPA 13051 of 2021 is disposed of.

(Shivakant Prasad, J.)