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January 7,
2021

In the High Court at Calcutta
Constitutional Writ Jurisdiction

W.P.A. No. 10587 of 2020

Sri Suman Ghosh
Versus
The State of West Bengal and others

Mr. Kajal Ray,
Mr. Aditya Sen.
...for the petitioner.

Mr. Pantu Deb Roy,
Mr. Subrata Guha Biswas.
...for the State.

The petitioner complains that the private respondents failed to repay the money of the petitioner as per promise and has subsequently been trying to dispose of the assets of the private respondents' business, thereby creating an apprehension in the mind of the petitioner that the petitioner would not get any remedy against the private respondents on such score. The petitioner lodged a complaint before the police authorities, inter alia, alleging offence under Sections 420/120B/379/506 of the Indian Penal Code. However, learned counsel for the petitioner submits, the police have failed to take any action thereon.

Learned counsel appearing for the respondent-authorities submits a report in the form of

instruction indicating that a police case bearing Chandannagar PS Case No.146/20 dated December 14, 2020 has already been initiated under the applicable provisions of law and the case is now at the stage of investigation.

As such, there is no scope of interference into the investigation at this premature juncture. As regards the money claim of the petitioner, needless to say, the petitioner has his remedy before an appropriate civil court.

WPA No.10587 of 2020 is thus disposed of in the light of the above observations without any order as to costs.

Urgent website certified copies of this order, if applied for, be given to the parties upon compliance of all formalities.

(Sabyasachi Bhattacharyya, J.)