

**CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT JALPAIGURI**

20.09.2021
Item No.01
Court No. 01
Krishnendu
Dismissed

W.P.A. 752 of 2021

**In re: Nagendra Mohan Saha
Versus
The State of West Bengal & Ors.**

Mr. Debarshi Dhar
.....for the petitioner.
Mr. Hirak Barman
Ms. Bedashruti Bose
...For the State.

The present writ petition has been preferred
primarily praying for the following relief:

(a) A writ of or in the nature of mandamus directing that the investigation in connection with Rajganj Police Station Case No. 307/2014 dated 30.09.2014 under Sections 419/420/467/ 468/471/ 120B of Indian Penal Code which is still pending for its true and logical investigation and/or enquiry and Case No. 307/2014 dated 30.09.2014 under Sections 419/420/467/468/471/120(B) of Indian Penal Code is required to be conducted by the Central Bureau of Investigation (C.B.I.) or by any other independent agency with a further direction to submit a report of such investigation before this Hon'ble Court and on perusal of such report the Hon'ble Court may be pleased to pass appropriate order /orders as this Hon'ble Court may deem fit and proper.

Mr. Dhar, learned advocate appearing for the petitioner, submits that in the month of August, 2014 he came to learn that one Basanta Debnath along with other illegal associates has created a forged Deed of Power of Attorney upon impersonating the petitioner and fabricating his signature. Immediately

thereafter, the petitioner submitted a complaint, which was registered as Rajganj P.S. Case No. 307 of 2014 dated 30.09.2014 under sections 419/420/467/468/471/120(B) of the Indian Penal Code. He further submits that the investigation conducted by the police authorities does not satisfy the test of reasonableness and proper direction needs to be issued for further investigation by the Central Bureau of Investigation.

The learned advocate appearing for the State denies the contention of the petitioner and submits that upon conducting proper investigation, a charge sheet has already been submitted, being Charge Sheet No. 40/2020 dated 26.02.2020 .

Heard the learned advocates appearing for the respective parties and considered the materials on record.

From the sequence of facts, it does not appear that the police authorities had been lethargic in responding to the complaint lodged by the petitioner. Upon treating the petitioner's complaint as an F.I.R. , a criminal case was registered and upon completion of investigation, charge sheet has been submitted. Had the petitioner been aggrieved thereby , he could have taken appropriate steps before the Jurisdictional Magistrate.

In view thereof, no interference is called for in the present writ petition and the same is, accordingly,

dismissed.

Nothing in this order shall prevent the petitioner from taking appropriate steps before the competent forum, in accordance with law.

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

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Tapabrata Chakraborty, J.)