

13-04-2022
ct no. 13
Sl. 34
sp

WPA 523 of 2022
(Through Video Conference)
Arindam Banerjee
-Versus-

State of West Bengal & Ors.

Mr. Suresh Sahani,
Mr. Lalit Baid,
Ms. S. Saha

.....for the petitioner

Mr. Gausul Alam,
Mr. Ranjit Rajak

...for the State

Mr. Pradeep Kr. Jewrafka,
Ms. Pooja Jewrafka,
Ms. Jyoti Routh

...for the respondent no.6

The writ petitioner is a defacto complainant in respect of FIR No. 227 of 2021 dated October 12, 2021, registered with the Hare Street Police Station, Kolkata.

It is submitted that Section 420 and 406 of the IPC has been simultaneously included for investigation, which is fundamentally erroneous.

Since the complainant himself has approached this Court with regard to a deficiency in the FIR. This Court is inclined to accept the same and direct the Hare Street Police Station to amend the FIR to include Section 409 in place and stead of Section 406 of the IPC.

It is expected that the investigation will be completed as expeditiously as possible, preferably within a period of two months from date.

With the aforesaid observations, the instant writ petition shall stand disposed.

There shall be no order as to costs.

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

(Rajasekhar Mantha, J.)