

02.02.2022
Court No.13
Item No.8
AP

WPA 826 of 2022

**Chinmay Ranjan Das
Vs.
The State of West Bengal and Ors.**

(Through Video Conference)

Mr. Soumyajit Das Mahapatra

... For the Petitioners.

Mr. Santanu Kumar Mitra
Mr. Subhabrata Das

... For the State.

The writ petitioner is aggrieved by the progress of investigation into the Patashpur Police Station Case No.535/21 dated 24.12.2021 under Sections 420/406/468/506/34 of the Indian Penal Code.

The sum and substance of the grievance of the petitioner is that the accused have registered a forged deed showing transfer of property standing in the name of their father in favour of a third person.

The other grievance of the writ petitioner is that the charges under which the FIR has been registered are mild to entitle the accuseds to obtain bail.

Mr. Santanu Kumar Mitra appearing for the State along with Mr. Subhabrata Das has produced a report in the form of instructions dated 01.02.2022 issued by the Officer-in-Charge, Patashpur Police Station addressed to the learned Government Pleader and the same is taken on record.

It appears therefrom that the accused are absconding. Two other charge-sheets have been filed by the Patashpur Police Station being Patashpur Police Station Case No.260/21 dated 03.07.2021 under Sections 420/467/468/406/506/34 of the Indian Penal Code and Patashpur Police Station Case No.261/21 dated 30.07.2021 under Sections 420/467/468/406/506/34 of the Indian Penal Code.

It is also submitted by the learned counsel for the State that there is prima faice evidence before the police that the allegation of forgery against the accused is true and correct.

It is, therefore, ordered that the investigation into the FIR being No.535/21 dated 24.12.2021 be expedited and be completed within a period of two months from the date of receipt of copy of this order.

The Investigating Officer shall take note of the submissions of the writ petitioner that the charges under Sections 466/467/471/474 of the Indian Penal Code also ought to be included in the charge-sheet.

It is expected that the statements under Sections 164 and 161 of the Cr.P.C. are recorded at the earliest and with expedition and urgency.

Needless to mention, in the event the petitioner is aggrieved by the final report, he may take appropriate steps under the provisions of the Section 173 of the Cr.P.C.

It is also expected that the Patashpur Police Station would take immediate and urgent steps in the nature of proclamation and attachment to enforce the attendance of the accused in the aforesaid proceedings.

With the aforesaid observations, the writ petition is disposed of.

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.)