

28.02.2022
Court No.13
Item No.30
AP

WPA 1692 of 2022

Sri Subhash Chandra Bose
Vs.
The State of West Bengal and Ors.

(Through Video Conference)

Mr. Partha Pratim Mukhopadhyay
... For the Petitioner.
Mr. Amal Kumar Sen, A.G.P.,
Mr. Lal Mohan Basu
... For the State.

Affidavit of service filed in Court today is taken on record.

The writ petitioner is aggrieved by the fact that notwithstanding two complaints filed by him, Nischinda Police Station has not taken any steps.

Learned counsel for the State has produced a report in the form of instructions dated 21st February 2022 issued by the Officer-in-Charge, Nischinda Police Station addressed to the learned State Advocates and the same is taken on record.

It appears from the instructions that Nischinda Police Station Case No.249/21 dated 31st December 2021 under Sections 447/323/461/379/34 of the IPC has been registered. Investigation is on. Statements under Section 161 of the Cr.P.C. has been recorded. Sketch map has been prepared. Some stolen articles were seized under a seizure list.

The writ petitioner may, therefore, take steps under Chapter XXXIV of the Cr.P.C. for the purpose of recovery of such articles.

The writ petitioner also claims that the private respondents have perpetrated a fraud against him in executing a sale deed, of a property that does not belong to them.

Upon receipt of complaint, Nischinda Police has registered a case being Nischinda Police Station Case No.13 of 2022 dated 12th January 2022 under Sections 420/465/120B/109/34 of the IPC. The investigation into the said case is stated to be continuing.

It is expected that the investigations in the aforesaid two cases be completed as expeditiously as possible, preferably within a period of one month from date. A final report may be submitted to the jurisdictional magistrate within the aforesaid period.

The petitioner may take steps against the said final report as he may be advised in accordance with law.

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.)