

S/L 42
10.6.2022
Court. No. 19
Sn

WPA 3081 of 2022

Supratim Bandopadhyay
Vs.
The State of West Bengal & Ors.

Mr. Abhijit Ganguly
Ms. Mitul Hazra
Mr. Soumya Roy

... for the Petitioner

Mr. Amitesh Banerjee
Mr. Tarak Karan

..for the State

Affidavit of service is taken on record.

The petitioner alleges that the father of the petitioner died under mysterious circumstances. The petitioner used to live in Canada at the relevant point of time. An unnatural death case was registered. A complaint was lodged in this regard before the Uttara Para Police Station.

This writ petition has been filed alleging inaction on the part of the Officer-in-Charge, Phool Bagan police Station. Allegation is that the police authorities have not proceeded on the basis of the complaint filed against the respondent nos. 5 to 8.

It is alleged that the petitioner no.5 by taking advantage of the old age and deteriorating health of the deceased father of the petitioner, had forced his father to sign certain documents and also forged the signature of the deceased father of the petitioner on certain deeds, just to grab the properties and siphon of

the money. Specific allegation of forgery has been made. The petitioner contends that despite such complaint, the police authorities have failed to take steps in accordance with law. Hence, this writ petition has been filed.

The police authorities have filed a report, as directed earlier. From the report prepared by the Officer-in-Charge, Phoolbagan Police Station, dated April 22, 2022, it appears that the Phoolbagan Case No. 185 dated July 27, 2021 under Sections 420/406/120B of the Indian Penal Code, have been started. While investigating into the allegation of forgery, the police authorities obtained sample of the admitted signature of the petitioner's father (late Utpal Banerjee) from the ICICI Bank, Uttarpa Branch and of the forged signature and specimen signatures of the petitioner's father have been sent to the appropriate department of Bhawani Bhawan, for expert opinion. Such report still awaited. It is submitted by the police authorities that depending on the report, further investigation shall be carried out and thereafter concluded.

Heard learned advocates for the parties.

It appears that with regard to the allegation of cheating and breach of trust, an investigation is going on. With regard to the investigation into the allegation of forgery and illegal transfer of property, the police

authorities have sent the sample signature and the signature on deed, for expert opinion.

This Court is of the view that the police authorities have not failed to take steps. However, as the allegations are serious, it is expected that the investigation must be concluded in a free and fair manner and independently, within a period of three months from the date of communication of this order.

Needless to mention, the police authorities shall take adequate steps so that the report which has been asked for with regard to the signature of the deceased, is prepared expeditiously.

Accordingly, the writ petition is disposed of.

However, there will be no order as to costs.

All the parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)