

S/L 3
04.07.2022
Court. No. 19
GB

WPA 9775 of 2022

Shri Bhutnath Datta & Ors.
VS
The State of West Bengal & Ors.

*Mr. Surya Prasad Chattopadhyay,
Mr. Arjun Samanta,
Mr. Ankit Chatterjee.*

...for the Petitioners.

*Mr. Amitesh Banerjee,
Mr. Suddhadev Adak.*

...for the State.

Affidavit-of-service filed in Court today, be kept with the record.

The police report is taken on record. This Court finds that there has been extensive progress in the investigation. The money trail has been identified and transactions have been stopped. The principal accused has not been apprehended, but it is expected that under the guidance of the Superintendent of Police, Murshidabar Police District as also the DIG (Special) CID, the entire transaction and the money, which has been siphoned off, can be traced and the truth will be unearthed. The police authorities have conducted raids on several occasions to apprehend the principal accused, but they failed. Other arrests were made and some money had been recovered.

The Court directs that the entire investigation must be tightened, so that the principal accused is apprehended. The investigation clearly indicates the involvement of the principal accused, under whose instructions and directions

the money had been siphoned off, from the respective banks and withdrawal of the fixed deposit had taken place.

The police authorities have incorporated the relevant sections, recorded statements of the relevant witnesses. The police also forwarded the petitioner and his wife before the learned Chief Judicial Magistrate for recording statements under Section 161 of the Code of Criminal Procedure. Additional sections including sections under the Information Technology Act, 2000 have been incorporated on the orders of the learned Chief Judicial Magistrate, Behrampore. The entire investigation is being monitored by the Superintendent of Police, Murshidabad Police District. The DIG (Special) CID is reviewing the day to day progress.

Google has been approached by the police. Investigation with regard to the whatsapp accounts have been made. Statements of the wife and the nephew of the principal accused have been recorded. CCTV footages from the relevant banks have been seized. The phone call details have been analysed. The HDFC Bank, Axis Bank have also been approached in furtherance of the investigation.

Under such circumstances, the writ petition is disposed of with a direction upon the Superintendent of Police, Murshidabad Police District to continue the investigation in such a manner so that the truth may be unearthed. The raids be conducted so that the principal accused is tracked down. The DIG (Special) CID shall continue to review the investigation and the investigation must be reached to its logical conclusion, expeditiously.

The report is returned to the learned Senior Standing Counsel after perusal by the Court, so that the details of the investigation do not go to the wrong hands.

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.)