

8.8.2022
Sl.No.390
sn

W.P.A. No.11673 of 2021

Atindra Nath Mondal

Versus

The State of West Bengal & Ors.

Mr. Soumen Bhattacharyya

Mr. Debabrata Chakraborty

... for the petitioner

Mr. Subhabrata Datta

Mr. Banibrata Datta ..for the State

The petitioner alleges police inaction.

It is the contention of the petitioner that despite a complaint having been filed before the Inspector-In-Charge, Sonarpur Police Station, no effective steps have been taken by the police authorities. The dispute is with regard to an alleged deed of sale.

It is the contention of the petitioner that by practising fraud, the respondent nos. 4 to 6 had purchased the petitioner's lands surreptitiously behind the back of the petitioner and by misleading him as to the contents of the deed.

The police report is taken on record.

It appears from the police report that on the basis of the complaint of the petitioner, Sonarpur Police Station Case No. 944 of 2020 dated November 18, 2020 under Section 420/34 of the Indian Penal Code was registered. The investigation was completed and a Charge Sheet no. 906 dated October 31, 2021 under Section 420/34 of the Indian Penal Code had

been filed. It also appears that apprehending breach of peace, on an earlier occasion, prosecution under Section 107 of the Code of Criminal Procedure had been submitted.

Prima facie, it was found by the police authorities that the petitioner received an amount lesser than what was indicated and mentioned in the deed of sale. However, merits of the allegations and findings of the investigations are matters of trial. As the police authorities have already taken steps, nothing further remains to be decided in this writ petition. The merits of the investigation and the result thereof, have not been gone into.

This writ petition is disposed of.

There will be no order as to costs.

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

(Shampa Sarkar, J.)