

29.06.2022

Sl. No.39

ss

W.P.A. 10584 of 2022

Sm. Kakali Samajpati

Vs.

The State of West Bengal & ors.

Mr. Dilip Kumar Samanta

Mr. Biswapriya Samanta

... for the petitioners

Mr. Subhabrata Datta

Mr. Banibrata Datta

... for the State

Affidavit of service filed in Court is taken on record.

The proceeding initiated against the petitioner before the learned Metropolitan Magistrate, 12th Court, Calcutta with regard to bouncing of cheques, shall continue, if the same is still pending.

The court finds that the dispute is between the borrower and the financier.

The police report indicates that although the petitioner had been requested by the Officer-in-Charge, Netaji Nagar Police Station to file a written complaint, the complaint was not filed.

The petitioner relies upon e-mails sent to the police authorities. Copies of the complaints have been annexed to the writ petition, being annexures P2, P3 and P4.

The police authorities shall consider the annexures and ensure that the petitioner is not unnecessarily harassed by the bank authorities. The officials of the bank, cannot threaten or physically harm the petitioner for recovery of the money. The bank may proceed in accordance with law.

With the above observation, this writ petition is disposed of.

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

(Shampa Sarkar, J.)