

19.07.2022
Sl.No.4(SL)
srm

W.P.A. No. 10872 of 2022

Sarada Nanda Das

Versus

The State of West Bengal & Ors.

Mr. Dyutiman Banerjee

... for the Petitioner.

Mr. Debasish Ghosh,
Mr. Prithwish Basu

...for the State-respondents.

Mr. Debashis Saha

...for the State Ban of India.

Affidavit-of-service is taken on record.

The petitioner alleges inaction of the police authorities. According to the petitioner, by forging the signature of the petitioner, a sum of Rs.9,20,000/- had been withdrawn from the State Bank of India, Balurghat Branch, through a bearer cheque.

On the basis of the complaint of the petitioner, Balurghat Police Station Case No.433 of 2022 dated June 23, 2022 under Sections 420/468/471 of the Indian Penal Code, had been registered. Investigation is going on. The police report indicates that a blank cheque was stolen by the caretaker of the petitioner and a sum of Rs.9,20,000/- had been withdrawn from the account of the petitioner

through cheque No.809334. The bank authorities were approached by the police authorities. The Chief Manager was asked to file a report with regard to the alleged transaction. Statement of the complainant was recorded under Section 161 of the Code of Criminal Procedure. All documents relating to the bank account were collected. CCTV footages of the bank, as saved in a pen drive, were seized. The investigation revealed that the petitioner often handed over the signed blank cheques to one Madan Mohan Maitra for the purpose of donation to different projects, relating to social welfare. Another person called Bipul Roy has been handed over the keys of the house. During the course of investigation it was revealed that the said Bipul Roy may have been involved in the offence. Investigation further revealed that one Bijay Sarkar, was the mastermind behind the offence. Both Bijay Sarkar and Bipul Roy were arrested. Statements of the accused persons have been recorded.

Under such circumstances, this Court is of the view that the police had made every effort to ensure that the investigation proceeds in the right direction. However, the angle as to whether the officials of the bank had aided and abetted in the crime, has to be ascertained. It is unlikely that a bearer cheque of Rs.9,20,000/- could have been

encashed without any verification from the account holder. The investigation, so started, must be concluded expeditiously and all angles and possible involvement of the connected persons should be explored. The money trail shall also be investigated in order to recover the amount.

The writ petition is, thus, 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.)