

3.8.2022
Sl.No.39
sn

W.P.A. 12580 of 2022

Sneha Das

Versus

The State of West Bengal & Ors.

Mr. Rajdeep Majumder
Mr. Pritam Roy
Ms. Radhika Agarwal
... for the petitioner

Mr. Suman Sengupta
Mr. Sanatan Panja ..for the State

Mr. Biswajit Mukherjee
Mr. Soumyajit Mitra ..for the respdt.7

The petitioner alleges that the respondent no.7
forcefully obtained signatures of the petitioner on
some blank papers and also some blank cheques.

The fact is that the four persons decided to
start a partnership business. The petitioner allegedly
invested around a sum of Rs.13,16,000/-. Problems
arose between the partners and the partnership was
dissolved. The petitioner claims re-payment of her
investment.

Mr. Mukherjee, learned advocate for the
respondent no.7 vehemently denies the allegations
made by the petitioner. It is submitted that
Rs.5,00,00/-, which had been invested by the
petitioner shall be returned to the petitioner soon.
With regard to the other claims, the accounts cannot
be settled as the petitioner has failed to furnish
relevant documents with regard to the expenses

incurred. In any event, on the allegation of cheating and breach of trust, the police authorities have already initiated Netaji Nagar Police Station Case No. 120 of 2022 dated June 29, 2022 under Sections 120B/420/406/506/509 of the Indian Penal Code. The investigation shall continue and be reached to its logical conclusion, in accordance with law. The truth shall be unearthed. The contention of the respondent No.7 with regard to distribution of assets on the basis of the clause in the partnership deed and the existence of an arbitration clause have not been gone into.

The remedy of the parties before the appropriate Criminal Court is kept open.

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.)