

16 20.01.2022

WPA 16250 of 2021

Ct-13

(Via Video Conference)

Exclusive Retail Pvt. Ltd.

Vs.

State of West Bengal & Ors.

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Mr. Somnath Gangopadhyay
Mr. Rahul Singh
... For the Petitioner

Mr. Amitesh Banerjee
Ms. Ipsita Banerjee
... For the State

The petitioner is aggrieved that the private respondents have forcefully shutdown his showroom and had prevented him from accessing stocks, which are lying at there. The petitioner was running a showroom of a popular apparel brand.

Counsel for the State submits that in respect of a complaint received from the private respondent no. 4, an FIR has been registered being Contai P.S Case no. 259 of 2021 dated 17th July, 2021 under Sections 420/406/323/379/560/34 of the Indian Penal Code. After the complaint being made when the private respondent went to collect rent from the petitioner, he was assaulted and some moneys were snatched from his body.

On the petitioner's complaint admittedly the Contai P.S immediately registered an FIR being Contai P.S Case No. 19 of 2022 under Sections 379/427/506/34 of the Indian Penal Code.

It appears from the record that the dispute between the parties is purely civil in nature and a civil case is pending between the parties being O.S Case No. 105 of 2021, now pending before the learned Civil Judge, Junior Division, 1st

Court, Contai.

This Court directs the I.O of Contai P.S to complete the investigation of the aforesaid two FIRs as expeditiously as possible, preferably within one month from date and final report be submitted to the Jurisdictional Magistrate immediately thereafter.

With the aforesaid observations, WPA 16250 of 2021 is disposed of.

All parties shall act on the server copy of this order duly downloaded from the official web site of this Court.

(Rajasekhar Mantha, J.)

