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WPO 1951 of 2022

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
ORIGINAL SIDE

MALATI SAHA
VERSUS
THE STATE OF WEST BENGAL AND ORS.

BEFORE:
The Hon'ble JUSTICE RAJASEKHAR MANTHA
Date : 27th April, 2022.

APPEARANCE:

Mr. R. Chatterjee, Adv.
Mr. D.R. Mukherjee, Adv.
Mr. Arijit Dey, Adv.
...for the petitioner.

Mr. Amitesh Banerjee, Sr. Adv.
Mr. Manoj Malhotra, Adv.
...for the State.

Mr. Avishek Guha, Adv.
Ms. Akansha Chopra, Adv.
...for Yes Bank.

The Court:- The petitioner is aggrieved that Rabindra Sarobar Police Station has not registered FIR despite a complaint of forgery and cheating and misrepresentation by certain persons, claiming to be employees of the Yes Bank Ltd. and Max Life Insurance Ltd.

Having heard the submissions of Counsel for the parties, this Court is of the view that the conclusion of the Rabindra Sarobar Police Station that the matter is purely civil in nature may not be totally correct.

In that view of the matter, this Court directs Rabindra Sarobar Police Station to register FIR, inter alia, under Sections 409, 420, 468 and 471 read with 120B of the IPC against the accused persons and commence investigation as expeditiously as possible. The investigation should be completed within a period of two months from the date of registration of the FIR.

This Court has not entered into any other civil disputes between the petitioner and the respondents. The same may be agitated before an appropriate civil court.

It is submitted by Counsel for the petitioner that insurance company has agreed to refund the premium paid by the petitioner pursuant to the aforesaid inducement by the private respondents. The petitioner may receive the said premium back from the insurance company and the same may be paid, without prejudice to any rights and contentions of any of the parties under the law.

With the aforesaid observations, WPO No. 1951 of 2022 is disposed of.

(RAJASEKHAR MANTHA, J.)