

06-02-2023

ct no. 13

Sl.3

sp

WPA 51 of 2023

Mrinal Kanti Mondal

-Versus-

The State of West Bengal & Ors.

Mr. Kamalesh Chandra Saha

....for the petitioner

Mr. Indranil Roy,
Mr. Biswajit Manna

...for the respondent no.7

The petitioner is aggrieved that a notice under Section 41A of the Cr. P.C. has been issued to him by the Muchipara Police Station, Kolkata in connection with Muchipara Police Station Case No. 216 dated 07.11.2022 under Sections 420/406 of the IPC. The private respondent no. 7 has lodged a complaint of misappropriation of gold against the private respondent no.8.

In course of investigation and statement of the private respondent no.8/accused, the name of the petitioner transpired that he might have been the beneficiary of the misappropriated gold. In that context, the Muchipara Police Station has issued notice under Section 41A of the Cr. P.C.

Admittedly, the petitioner is not a named accused either in the FIR or in the complaint.

Be that as it may, given the explanation of the Muchipara Police Station, this Court does not find any reason to interfere on their action at this state.

Reserving the rights to the petitioner to avail remedies under the Cr. P.C. and otherwise, the writ petition shall stand disposed of.

The instructions of the Muchipara Police Station dated 17.01.2023, addressed to the learned State Advocate, is kept with the record.

There shall be no order as to costs.

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

(Rajasekhar Mantha, J.)