

17-05-2023
ct no. 13
sl. 15
sp

WPA 12004 of 2023

Sikander Ali

-Versus-

The State of West Bengal & Ors.

Mr. Joy Chakraborty,
Mr. Sandip Dinda

...for the petitioners

Mr. Asish Kumar Guha,
Mr. Naren Ghosh Dastidar

...for the State

1. The petitioner is aggrieved by a notice under Section 41A of the Cr. P.C. dated May 2, 2023 issued by the Nandigram Police Station, Purba Medinipur.
2. The police have registered FIR being Nandigram PS Case No. 644 of 2023 dated 01.05.2023 under Sections 420/406/34 of the IPC against the petitioner.
3. The petitioner is also aggrieved that the Nandigram Police Station has not taken any steps with regard to his complaint dated May 7, 2023.
4. The Nandigram Police Station is represented through State Advocate and has submitted detailed instructions along with documentary evidence, which is kept with the record.
5. The petitioner is stated to have cheated a number of persons in the Nandigram area and

has refused to repay a total sum of Rs. 50 lakhs which is due and payable by the petitioner, taken for supply of grocery articles and other items to various persons.

6. This Court is of the view that the petitioners' apprehension is misplaced, if not totally motivated.
7. The police submits that there is no restriction on the petitioner visiting his residence at Nandigram or living thereat. The petitioner has, in fact, evaded the investigation in the subject FIR already registered.
8. If the petitioner is aggrieved by non-registration of any FIR in respect of his complaint, he may take steps under Section 156(3) of the Cr. P.C.
9. With the aforesaid observations, the instant writ petition shall stand disposed of with a warning to the petitioner not to indulge in frivolous and dishonest litigation.
10. There shall be no order as to costs.
11. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)

