

21.08.2023
Sl. No. 04
Suman
Ct.No.14

WPA 15297 of 2023

Smt. Papori Konwar Das
Vs.
The State of West Bengal and Ors.

Ms. Sumita Shaw
Mr. Soumen Chatterjee
..for the petitioner

Mr. Chayan Gupta
Mr. Sandip Dasgupta
Mr. Saaqib Siddique
..for the respondent No.7

Mr. Jayanta Samanta
..for the State

This is an application praying for a direction upon the respondent authorities to direct the Investigating Officer of the Belghoria P.S. to conclude investigation expeditiously, to file a report and to freeze the bank account of the respondent No.6 in connection with Belghoria P. S. Case No. 290 of 2023 dated 02.06.2023 under Sections 420/406/468/471 of the Indian Penal Code.

Report filed on behalf of the State is taken on record.

Learned advocate appearing on behalf of the petitioner submits as follows. The private respondent

had portrayed himself as an agent of WBHIDCO and coaxed the petitioner to pay Rs.64,80,000/- for purchasing a property within the Action Area II-B, New Town, Kolkata. The sum of Rs.64,80,000/- was paid directly to the official account of HIDCO. However, a sum of Rs.35,00,000/- in lieu of registration fees was given to the private respondent in his personal account. But, no such land was handed over. It was found that the allotment letter was forged. Police have not investigated the case properly. Although the private respondent was arrested, he was released on bail soon thereafter. The State did not even file an application for cancellation of bail. The police also need to seize the bank account of the private respondent.

Learned advocate appearing on behalf of WBHIDCO submits as follows. The private respondent was not employed with the HIDCO as have been intimated to the police authorities. Steps are being taken to refund the said sum of Rs.64,80,000/- to the petitioner who was purportedly a victim of fraud. However, the HIDCO is in no way responsible for such acts.

Learned advocate appearing on behalf of the State relies on the report and the case diary and submits as follows. The investigation is at an early

stage. After about 25 days of custody the private respondent was released on bail. The Investigating Agency has already collected several materials including various statements, mobile phone of the private respondent and the like. The bank account of the private respondent has also been frozen. However, a report is awaited from the hand writing expert regarding the private respondent's handwriting.

I have heard the learned advocates appearing on behalf of the parties and have perused the case diary.

Several materials have already been seized and the bank account of the private respondent has been frozen. Only the hand writing expert's report is awaited. It is, however, not clear as to why the Investigating Officer has sought comparison of handwriting of the private respondent.

Be that as it may, the Investigating Agency shall conclude the investigation as expeditiously as possible and take the matter to its logical conclusion.

With these observations, the writ petition is disposed of.

Urgent photostat certified copy, if applied for, be given to the learned advocates for the parties on usual undertakings.

(Jay Sengupta, J.)