

Ct. 14
Item No.14
10.08.2023
(Suvendu)

WPA 15761 of 2023

**Anupam Chandra Katheriya
Vs.
The State of West Bengal & Ors.**

Mr. Shuvro Prokash Lahiri
Ms. Ankita Dey
Mr. Rajesh Naskar
Ms. Tithi Mazumdar
.....for the petitioner

Mr. Santanu Kumar Mitra
.....for the State

Mr. Sarbari Datta
.....for the respondent no.8

This is an application under Article 226 of the Constitution of India alleging police inaction in respect of the complaint lodged by the petitioner.

Affidavit of Service filed on behalf of the petitioner is taken on record.

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

Learned counsel appearing for the petitioner submits as follows. The petitioner is the victim of a scam. He was made to pay one rupee through Debit Card purportedly to ascertain the genuineness of his Card and thereafter, came to learn that a loan of Rs. 2.1 lakhs was sanctioned by his Bank to the person

who was offering deals. Subsequently, the petitioner came to know that the accused had cheated so many others in similar fashion and cases were pending against him. There was a notice put up on the door at the shop of the petitioner at his office at the Acropolis Mall. However, the police did not register any FIR on the petitioner's complaint.

Learned Counsel representing the State relies on the report and submits as follows. A specific FIR has been registered on the complaint of the petitioner being Kasba Police Station Case No. 131 dated 28.07.2023 under Sections 420/406/120B of the Indian Penal Code against all the accused. Investigation is being done, necessary documents have been seized and notices have also been sent to Registrar of Companies to ascertain details of the concerned Company. The bank account of the accused company has already been frozen.

Learned Counsel appearing for the Bank submits that their clients are needlessly being dragged into such cases involving technologically engineered scam.

I have heard the learned counsels appearing on behalf of the parties and have perused the writ petition and the report filed on behalf of the State.

It appears that the police have already taken steps on the complaint of the petitioner by registering an FIR. Investigation is going on.

Therefore, no further orders need be passed in this regard.

However, the petitioner shall be at liberty to take up the issue regarding recovery or adjustment of money, if any, before the appropriate forum in accordance with law.

With these observations, the writ petition is disposed of.

Urgent photostat certified copy of this order, if applied for, be given to the parties on usual undertakings.

(Jay Sengupta, J.)