

25.07.2023
sayandeep
Sl. No. 23
Ct. No. 14

WPA 16242 of 2023

Ms. Aditi Ghorai & Anr.
-Versus-
State of West Bengal & Ors.

Mr. Arun Kumar Chowdhury
.....for the petitioners
Mr. Somnath Ganguli
Ms. Priyambda Singh
.....for the State
Mr. Angshuman chakraborty
Mr. S.S. Saha
.....for the respondent No. 7

This is an application under Article 226 of the Constitution of India alleging police inaction.

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 was cheated by the private respondent of a sum of Rs. 99,41,441/- As the police did not act on his complaints, the petitioner was constrained to move an application under Section 156 (2) of the Code. Pursuant to a direction passed by the learned Magistrate, Haridevpur P.S. Case No. 385 dated 09.12.2022 was started under Sections 420 and 506 of the IPC. Six months have elapsed. But, no positive steps have

been taken by the police authorities. The said flat, purportedly sold by the private respondent as a developer, was demolished by the Corporation even before the date of registration.

Learned counsel appearing on behalf of the private respondents submits as follows. This is a strange case where the petitioner seeks return of money after purchasing a flat. This is purely a civil dispute between the private parties.

Learned counsel appearing on behalf of the State relies on the report and submits as follows. The petitioner has also filed a civil suit for recovery of money. However, in the present case, investigation is going on.

I have heard the submissions of learned counsel 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 authorities are investigating the case in question. However, it is also true that some time has gone.

Let the investigating agency conclude the investigation as expeditiously as possible in accordance with law.

With these observations, the writ petition is disposed of.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Jay Sengupta, J.)