

Ct. 14  
Item No.36  
27.07.2023  
(Suvendu)

**WPA 16761 of 2023**

**Kaliprasad Mondal  
Vs.  
The State of West Bengal & Ors.**

Mr. Aritra Kumar Thokdar  
.....for the petitioner

Mr. Sk. Md. Gaib  
Ms. T. Mukherjee  
.....for the State

This is an application under Article 226 of the Constitution of India alleging police inaction in respect of an FIR lodged by the petitioner being Garfa Police Station Case no. 85 of 2022 dated 19.04.2022 under Sections 420/120B of the Indian Penal Code.

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

Learned counsel appearing for the petitioner submits as follows. The petitioner is the father of a student who wanted to study in China. The private respondents committed a fraud by duping the petitioner to pay a substantial amount of money for

arranging such admission. However, it turned out that everything was fake and the accused embezzled the money. Although an FIR was registered, no effective steps were taken by the investigating agency.

Learned Counsel representing the State relies on the report and submits as follows. A thorough investigation was conducted. After that, a charge-sheet being Garfa Police Station Charge-sheet no. 99 dated 30.06.2023 was submitted under Sections 420/120B of the Indian Penal Code. Although one accused could be arrested, the other remains absconding. Necessary steps are being taken in this regard.

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

It appears that the prime grievance of the petitioner has already been addressed and a charge-sheet has been filed by the investigating agency.

It is expected that the prosecution shall take further steps in terms of issuance of warrant of arrest, then proclamation and thereafter attachment in respect of the absconding accused.

No further order need be passed.

The writ petitioner is, accordingly, disposed of without any order as to costs.

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

**(Jay Sengupta, J.)**