

WPA 17597 of 2023

Rajendra Kumar Saraogi
-vs-
State of West Bengal & ors.

Mr. Tapas Maity
...for the petitioner

Ms. Ipsita Banerjee
....for the State

This is an application alleging police inaction in respect of Amta Police Station Case No. 4 of 2014 under Sections 420, 406, 468, 471, 120B and 34 of the Penal Code.

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

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is the victim and the de-facto complainant in a case where he was duped and cheated of a huge sum of money on the pretext that the private respondents were selling their valuable property to him. It later transpired that the persons who were introduced as the owners were not the real owners. The petitioner lodged an FIR in 2014. A purported charge sheet was submitted. Being aggrieved, the petitioner filed a protest petition which was rejected on technical grounds. This was corrected by this Court in a revision. After that, there was a bifurcation of the police station. A renumbered case was started. However, no further charge sheet has been

submitted as yet. Although the broker in this deal was arrested who subsequently got bail, the culprits who had impersonated the real owners were not arrested. Nor was the money recovered. The phone numbers of some of the impersonators as made available during such transactions were handed over to the Investigating Agency.

Learned counsel appearing on behalf of the State relies on the report and submits that efforts were made to arrest all the culprits. Investigation is still going on.

It is alleged that some phone numbers belonging to the alleged accused were handed over to the Investigating Agency. One wonders whether such trail was at all explored by the Investigating Officer.

It appears that the photographs of at least five impersonators are present in one sale deed appended to the writ petition. It does not appear that any effort was made to trace them out either by circulating such photographs at the other police stations or by necessary publication in the newspaper.

The investigation has not been done properly.

Let the further investigation of the case be conducted by the Deputy Superintendent of Police, Howrah (Rural).

The Investigating Officer shall conclude the investigation expeditiously and in accordance with law.

With these observations, the writ petition is disposed of.

Urgent photostat certified copy of this order be

supplied to the parties, if applied for, as early as possible.

(Jay Sengupta, J.)