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19.09.2023
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Ct 14

WPA 20135 of 2023

Kazi Sahid Wasif
-vs-
State of West Bengal & ors.

Mr. Chittapriya Ghosh
Mr. Kuntal Ray

....for the petitioner

Mr. Santanu Kumar Mitra
Mr. Amartya Pal

...for the State

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 on behalf of the petitioner submits as follows. The petitioner is the owner of the property in question. The private respondents forged certain documents and prepared a second deed in this regard. Civil suit is pending for this. After an FIR was lodged by the petitioner, the private respondent no.6 prayed for anticipatory bail. By an order dated 6th July, 2022 passed in CRM (A) 3121 of 2022, this Court directed the petitioner therein to hand over the original deed in his possession to the concerned Investigating Officer and thereafter proceeded to grant anticipatory bail. This deed was never deposited by the respondent no.6 nor was collected by the Investigating

Officer. Investigation has remained pending. No charge sheet has yet been submitted.

Learned counsel appearing on behalf of the State relies on the report and submits as follows. Copies of documents were collected from the complainant. Certified copies of the deeds were collected. Specimen signature and others details have now been sent to the Director of Q.D.E.B West Bengal, CID, Bhabani Bhaban, Alipur. Charge sheet will be submitted as soon as the report is made available.

It is quite surprising that although the respondent no.6 purportedly did not comply with the direction passed by a Division Bench of this Court, the petitioner did not pray for cancellation of anticipatory bail granted to the said respondent.

It appears that the Investigating Officer has conducted some investigation. The report of the QDEB is awaited and thereafter, a charge sheet would be submitted.

Let the Investigating Officer pursue the matter with the QDEB so that a report can be obtained at the earliest.

Let him 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.)

