

September 21, 2023
AD 14
Court No.14
SG

WPA 20367 of 2023

Tapas Chakraborty
vs
State of West Bengal and others

Mr. Debasis Kar
Mr. Husen Mustafi
Mr. Subhajit Chowdhury
... for the petitioner
Mr. Ranjit Rajak
... for the State
Mr. Karan Dudhwewala
... for the respondent Nos.4 & 5
Mr. Dibyendu Chatterjee
Mr. Rahul Deb Goenka
... for the respondent No.6

A report filed by the State is taken on record.

Learned advocate appearing for the petitioner submits as follows. The petitioner is the brother of the respondent No.4 and the respondent No.5 is the wife of the respondent No.4. The respondent No.6 is a chartered accountant associated with the company in question. The petitioner alleged in the FIR dated 18.06.2023 that the petitioner's signature was forged by the accused and his shares in the company were transferred. In spite of registration of the FIR, investigation has not been done properly and the statement of the petitioner has not been recorded and no relevant document has been collected from the petitioner.

Learned advocate appearing for the respondent Nos.4 and 5 submits as follows. The allegations made in the writ petition are denied. The complaint relates to an

incident which allegedly took place at about ten years ago. Earlier on a similar allegations, a case was started by another brother against the petitioner. Because the present respondent No.4 supported the other brother in this, in order to wreck vengeance, the instant proceeding has been initiated.

Learned advocate for the respondent No.6 denies the allegations and submits that he is only a chartered accountant of the company and has nothing to do on the allegations made by the petitioner.

Learned advocate for the State relies on the report and submits that the investigation is continuing. Notices were issued under Section 91 of the Code. The investigating officer is going to match the signature of the petitioner with that on the resignation letter.

It is quite surprising that the matching of signature of the petitioner has not been prayed for yet. It takes time for obtaining an expert's opinion.

The investigating officer shall conclude the investigation expeditiously and in accordance with law.

With these observations, the writ petition is disposed of.

Urgent certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

[Jay Sengupta, J.]