

WPA 20488 of 2023

**Sukumar Porel
-Versus-
The State of West Bengal & Ors.**

Mr. Ramij Munsi, Adv.,
Mr. Rittick Chowdhury, Adv.,
Ms. Champa Pal, Adv.,
Mr. Nishant Chaudary, Adv.

...for the petitioner.

Mr. Wasim Ahmed, Adv.,
Mr. Sk. Md. Masud, Adv.

...for the State.

Mr. Nepesh Majhi, Adv.

...for the respondent nos. 7&8.

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

Learned Counsel appearing on behalf of the petitioner submits as follows. A huge amount of money was withdrawn from the savings account of the victim/petitioner by the accused Bank Manager by using earlier cheques and withdrawal forms which were taken by the Bank at the time of sanctioning of a house building loan. An FIR was lodged on November 9, 2018. A perfunctory investigation was conducted resulting in a final report as a "Mistake of Fact". The petitioner was constrained to file a protest petition, which was allowed. Even after further investigation a similar final report was filed. Being aggrieved, the petitioner again approached the learned Magistrate. Further investigation was allowed, but investigation has not been carried out properly. The Investigating Officer did not collect the CDR, SDR of the

mobile phone concerned. Nor did the Investigating Officer explore the possibility of any CCTV footage being available in this regard.

Learned Counsel appearing for the State relies on the report and submits as follows. Investigation is going on. Requisitions have been made to obtain CCTV footage, if any. An analysis of the CDR of the complainant's mobile phone number has already been done.

Learned Counsel appearing on behalf of the respondent Bank submits that the Bank has fully cooperated with the investigation of the case.

It appears that the present Investigating Officer has taken steps in trying to unearth the truth. Several requisitions were made. CDR analysis report of the complainant's mobile phone number was collected.

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

With these observations, the writ petition being WPA 20488 of 2023 is disposed of.

Let urgent photostat certified copy of this order, if applied of, be made available to the parties upon compliance with all necessary formalities.

(Jay Sengupta, J.)