

22.09.2023
Sl. No. 22
Suman
Ct.No.14

WPA 20514 of 2023

Mokarram Ali and Anr.
Vs.
The State of West Bengal and Ors.

Mr. Dhananjoy Banerjee
Ms. Oindrila Ghosh
..for the petitioner

Ms. S. Khan
..for the respondent No.4

Mr. Somnath Ganguli,
Mr. P. Singh
..for the State

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

Learned counsel on behalf of the petitioner submits as follows. During the Covid period the private respondents had taken some money from the petitioners as accommodation. Subsequently, the private respondent repaid only Rs.20,000/- out of a total sum of Rs.2,70,000/-. The private respondent again asked for some financial assistance. The petitioner No.1 paid a sum of Rs.1,80,000/-. The petitioner No.2 paid Rs.1,85,000/-. The petitioner No.1 again paid a sum of Rs.1,15,000/- to the said Kadir

Siddique in October, 2022. The petitioners requested the respondents to repay the entire dues. The private respondents along with other anti-social elements entered into the house of petitioner No.2 and threatened him with dire consequences. The petitioners were constrained to approach the concerned P.S. However, thereafter petitioner No.2 received phone calls claiming to be from a police officer to meet them at Lalbazar.

Learned advocate on behalf of the private respondents denies all the allegations and submits as follows. It was actually the writ petitioner who had taken a sum of Rs.36,70,000/- from the respondent No.4 on the pretext of selling a property at Raja Bazar area. However, after receiving the same in some instalments the petitioners neither handed over the property nor returned money. The private respondents had to approach to the police for redressal.

Learned advocate for the State relying on the report submits as follows. There are allegations and counter allegations made between the private parties. These are regarding dues of sums allegedly owed to each other. It was in connection with the same that a phone call was made to the petitioner.

If the police authorities intend to make any investigation or even a preliminary enquiry in respect of any allegation made by a particular side, they would have to do the same in accordance with law. Necessary notices, as per law, may be given to the parties in this regard.

No further order need be passed in this case.

With the above observations the writ petition is **disposed of.**

There shall be no order as to costs.

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

(Jay Sengupta, J.)