

18.01.2023.
Item No. 2.
Court No.13
ap

W.P.A. No. 21654 of 2022

**Lokesh Kantal
Versus
Union of India & Ors.**

Mr. Kunal Ganguly.

..For the petitioner.

Mr. Subrata Kumar Sinha.

..For the Bank.

State Bank of India is represented.

The Inspector-in-charge, Sankrail Police Station,
however, has filed a report.

Let a copy of the said report be made available to
the Counsel for the petitioner and the Bank.

The Bank has produced documents wherein the
customer has instructed sums of Rs.5,00,000/-,
Rs.3,00,000/- and Rs.2,00,000/- respectively to be
transferred to a specific bank account along with the
name of the branch at Chennai and the IFSC code.
The Bank has however transferred the said sums of
money to the accounts of Canara Bank at Rourkela in
Odisha and Panipath in Hariyana.

There appears to be a discrepancy between the
transfer instructions of the petitioner and the actual
transfer effected by the Bank. The documents
produced by the Bank may be handed over to the
Inspector-in-charge, Sankrail Police Station, who is

present in Court today, who shall transmit the same to the Investigating Officer of the case.

The Investigating Officer of the case shall interrogate the officials of the Bank to determine any participation by the officials of the Bank in effecting transfer contrary to the instructions of the writ petitioner.

All steps necessary for the purpose of investigation under the Code of Criminal Procedure shall be taken. The investigation shall be completed and final report shall be filed before the jurisdictional Magistrate within a period of 45 days from date.

The right of the petitioner to initiate appropriate civil and statutory proceedings against the Bank is kept open.

Photostat copies of the documents of transfer produced by the Bank and the petitioner are made over to the Inspector-in-charge, Sankrail Police Station and they shall be kept as a part of the case diary. The Bank shall produce the same in original as and when called for by the Investigating Officer of the case. The Officials of the Bank shall co-operate in the investigation.

With the aforesaid directions, the instant writ petition shall stand disposed of.

There will be no order as to costs.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)