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03.10.
2023
Ct. No.14

WPA 21462 of 2023

**Rappa Saha
Vs
The State of W. B. & Ors.**

**Mr. Sayan Ray
Mr. Samrat Choudhury
.....For the Petitioner
Mr. Suman Sengupta
Mr. Sambuddha Dutta
.....For the State
Mr. Sanjib Dawn
.....For the Respondent No. 5, 7 and 8**

Affidavit of service filed by the petitioner is taken on record.

Report filed by the State is also taken on record.

Copy of the same has been handed over to the learned counsel for the petitioner.

Learned counsel for the petitioner submits as follows. The private respondents committed offences of cheating and forgery for an amount of Rs.49,40,000/-. The petitioner lodged an FIR in May 2022. Till date no effective steps have been taken in this regard.

Learned counsel appearing on behalf of the private respondents submits as follows. The allegations made in the writ petition are denied. It is

a dispute between the partners in a partnership firm. In this case the petitioner had not filed any suit for recovery of dues.

Learned counsel appearing on behalf of the States relies on the report and submits that a charge sheet has already been submitted in this case being Baranagar PS C.S. No. 496 dated 28.07.23 under Section 420 of the Indian Penal Code. Two accused are on bail and three have absconded. Prayer has been made for issuance of warrant, proclamation and attachment.

It appears that the grievances of the petitioner have been redressed in as much as charge sheet has already been submitted in respect of the petitioner's FIR.

If the petitioner is aggrieved with the outcome in the charge sheet, he shall be at liberty to take necessary steps.

As affidavits were not called for, the allegations made in the writ petition are deemed not to have been admitted.

With these observations, the writ application is disposed of.

Urgent photostat certified copy of this order, if applied for, be given to the parties on urgent basis after completion of all necessary formalities.

(Jay Sengupta, J.)