

930 14.12.2023  
NB Ct. 14

**WPA 21954 of 2023**

Reeta Lalwani  
Vs.  
The State of West Bengal & Ors.

Mr. Aditya Mondal,  
Ms. Sampurna Chatterjee,  
Mr. Aditya Singh.  
...for the petitioner.

Mr. Suman Ghosh,  
Mr. Arindam Mitra.  
....for the State.

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

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

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner purchased the property from the accused. Beyond his back and without making him a party, an order was obtained from the Consumer Forum by another purchaser of the same property from the same vendor to take possession of such property. The petitioner lost the property and was not even given back the money he had paid. He lodged the FIR at the local police station, but practically no investigation has taken place. The petitioner has not even been asked to cooperate the investigation in any manner. In fact, the petitioner had spoken to one of the accused in the intervening period. Therefore, his phone can be tracked.

Learned counsel appearing on behalf of the State relies on the report and submits as follows. Immediately after receiving the letter of complaint, an FIR being Garfa Police

Station Case No.109 of 2023 dated 06.06.2023 was registered under Sections 420, 406 and 120B of the Penal Code. The same is being investigated. Raids were held to apprehend the accused, but they are absconding. Warrant of arrest has been prayed for and issued against the absconding accused.

It appears that a case was registered in the month of June, 2023. Till date, even the accused could not be traced out.

The investigation of the case be concluded at the earliest and in accordance with law.

However, investigation of the case shall be conducted by the Investigating Officer under the supervision of the concerned Deputy Commissioner of Police.

With these observations, the writ petition is disposed of.

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

**(Jay Sengupta, J.)**