

51 16.11.2023
NB Ct. 14

WPA 22207 of 2023

Swapan Kumar Marik
Vs.
The State of West Bengal & Ors.

Sk. Toslim Ali.
...for the petitioner.

Mr. Rajarshi Basu,
Mr. Parikshit Goswami.
...for the State.

Mr. Soujanya Bandopadhyay
... for the respondent no.8.

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

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner was the owner of the vehicle in question. He was plying the vehicle in the route Arambagh-Uluberia. Subsequently, he entered into an agreement for sale of the vehicle with the private respondent no.8. Out of a total consideration of more than Rs.7,00,000/-, only a sum of Rs.5,00,000/- and odd was paid. The private respondent is plying the vehicle in the said route after taking possession of the same. He has not even renewed the tax token, insurance and pollution certificate and thus putting the petitioner in peril. A complaint was made before the police station, which was not entertained.

Learned counsel appearing on behalf of the private respondents denies the allegations and submits that all the documents pertaining to the vehicle are up to date.

Learned counsel appearing on behalf of the State submits that an FIR has already been registered on the basis of the complaint of the petitioner and the offences are being investigated into.

As the prime grievance of the petitioner about the police inaction, on the complaint of the petitioner, has already been redressed by registering an FIR being Uluberia PS Case No.386 of 2023 dated 19.09.2023 under Sections 406 and 420 of the Penal Code, no further order need be passed in this case.

Let the investigation be concluded expeditiously and in accordance with law.

With these observations, the writ petition is disposed of.

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

(Jay Sengupta, J.)