

WPA 23455 of 2023

Surathi Mohan Chatterjee

-vs-

The State of West Bengal & ors.

Mr. Chinmay Pal

Mr. Archan Dutta

...for the petitioner

Mr. Ansar Mondal

Mr. Asish Dutta

...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 paid a sum of Rs. 24 lakhs to the private respondents for getting his son admitted in the donor's quota of the medical college. The petitioner's son did qualify the necessary examination. Subsequently, the private respondents did not keep such promise. Nor did they return the money taken.

Learned counsel appearing on behalf of the State relies on the report and submits as follows. A notice was given by the Investigating Agency under Section 91 of the Code of Criminal Procedure.. But the petitioner could not identify the said alleged office of the institution and could provide no evidence in support of his allegations. He did not even give

the contact number of the accused over which he allegedly used to communicate with the accused. The petitioner submitted as an explanation that he had lost old data of his mobile after formatting the same. After completion of investigation, a final report as mistake of fact was submitted.

Although the petitioner is alleging police inaction in investigating the case, it appears that the Investigating Agency was not provided with necessary information by the petitioner himself. A final report has already been submitted as mistake of fact.

Be that as it may, if the petitioner is aggrieved with the outcome of the investigation, he shall be at liberty to file a protest petition before the learned trial Court.

No further order need be passed in this regard.

Accordingly, the writ petition is disposed of.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Jay Sengupta, J.)