

25.01.2023
Court No.13
Item No.25
pk

WPA 27651 of 2022

Sk. Siraj Ali
Vs.
State of West Bengal & Ors.

Mr. Abdul Hamid Molla,
Mr. Mukteswar Prasad Maity,
Md. Abdul Halim

...for the petitioner.

Mr. Shyamal Kumar Das,
Mr. Ajay Barman Ray

... for the respondent nos. 4 to 6.

Despite service of notice, the State is not represented.

The writ petitioner complains that the private respondent nos. 4 to 6 are torturing him. It is also submitted that a sum of Rs.18 lakhs in cash being a portion of sale proceeds of a property have been taken away by the private respondents along with certain ornaments.

This Court is unable to appreciate as to how the petitioner has received Rs.18 lakhs in cash against sale of a property. The story that the same has been kept for medical expenses, is not believable.

Counsel for the private respondents submits that he does not live with the petitioner. It is further submitted that the petitioner has been set up by another son, Golam Waris against the private respondents.

This Court notes that the allegation of torture against the petitioner is wholly unsubstantiated. Tiljala

Police have registered FIR No. 309 dated 19.12.2022 in respect of the petitioner's complaint.

Let the investigation be completed as expeditiously as possible. It shall be specifically investigated as to whether the petitioner has kept or received the said sum of Rs.18 lakhs, which is stated to have been taken away by the private respondents.

Tiljala Police Station shall, if necessary, notify the Income Tax Authorities in this regard.

The I. C., Tiljala Police Station shall ensure that there is no breach of peace in the area.

The writ petition is 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.)