

479 19.12.2023
NB Ct. 14

WPA 26968 of 2023

Bikash Dey
Vs.
The State of West Bengal & Ors.

Mr. Bikash Ranjan Bhattacharyya Sr. Adv.,
Mr. Ashim Kumar Routh,
Ms. Ananya Mondal,
Mr. Subhayan Barik.
...for the petitioner.

Mr. Rajarshi Basu,
Mr. K. M. Hossain.
....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.

A copy of the FIR as filed by the petitioner is also taken on record.

Learned senior counsel representing the petitioner submits as follows. The petitioner is a subsequent purchaser of a portion of the property. He was quite unaware of what might have happened earlier. He has learnt that one Debdeep Basu had lodged an FIR alleging that he had been a tenant in the property in question for a very long time. When he was out on a particular day, the erstwhile owner and promoter came, looted away his belongings and demolished the entire building so that the property could be promoted. The petitioner could not be hauled up for any of the alleged charges. Yet, the police are harassing the petitioner. The petitioner would, if necessary, file an application for quashing of the proceeding at some point.

Learned counsel appearing on behalf of the State relies on a report and submits as follows. The allegations made in the writ petition are denied. The police are not harassing the petitioner or causing any overaction. They are only investigating the case at hand. As of now, the petitioner is not an accused in this case.

It appears that a criminal case is pending at the stage of investigation.

The Investigating Agency shall be at liberty to take all necessary steps in course of investigation.

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

Therefore, no further order need be passed in this regard.

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.)