

06-09-2023
Court No.2
Sh/24.

**In The High Court At Calcutta
Jalpaiguri Circuit Bench**

W.P.A. 1930 of 2023

**Subhash Bhowmik
Vs.
The State of West Bengal & Ors.**

Mr. Kunaljit Bhattacharjee,
Mr. Rahul Ghatak.
For the Petitioner.

Mr. Subir Kumar Saha, AGP,
Ms. Bedashruti Bose.
..For the State.

Two affidavits of service filed today in Court are taken on record.

The petitioner claimed that arising out an alleged fraud on a loan transaction the petitioner was induced to take a loan from **Prime Minister's Employment Generation Programme (for short PMEGP).**

Mr. Kunaljit Bhattacharjee, learned counsel appearing for the petitioner on instruction submits that no money has been received by the petitioner arising out such alleged loan transaction.

The petitioner in 2010 has lodged the First Information Report (for short FIR). He submits following the said FIR ultimately on June 12, 2019 charge sheet was issued in the form of closure report and the direction was there for reopening of case subject to any case in future.

Recently, the petitioner received a communication dated August 30, 2023 a copy whereof is made over to this Court and the same is taken on record. It appears from the said communication that the concerned Investigating Officer, Kotwali Police Station, Jalpaiguri has asked the petitioner to produce some documents, the petitioner complied with such requisition on August 31, 2023.

Mr. Bedashruti Bose, learned State counsel led by Mr. Subir Kumar Saha, learned AGP appearing for the State referring to page 31 from the writ petition submits that the necessary criminal case has already been initiated before the jurisdictional criminal Court and the same is in progress. The next date is fixed on December 27, 2023.

Considering the submissions made on behalf of the parties and considering the materials on record the State authority is directed to proceed with the matter strictly in accordance with law as expeditiously as possible and to take all necessary and consequential steps in the matter. It is expected that the criminal trial shall commence soon and the trial must come to its logical conclusion in accordance with law as expeditiously as possible.

The jurisdictional criminal Court while proceeding with the trial shall not be influenced by any observation made herein. The trial shall proceed on the merit of the case in accordance with law.

Since affidavits are not called for the allegations made in this writ petition are deemed not to have been admitted by the respondents.

With the above observation, this **writ petition being WPA 1930 of 2023 stands disposed of**, without any order as to costs.

(ANIRUDDHA ROY,J.)