

Sl.No.
71 21.11.2024
Court
No. 35
G.S.Das

WPA 11918 of 2023

Tomim Hossain
-Vs-
The State of West Bengal & Ors.

Ms. Sulekha Mitra
Mr. Manas Kumar Das
Mr. Aritra Kumar Thokdar
... for the petitioner

Mr. Shamim ul Bari
Ms. Dipa Bhattacharya
... for the State-respondent(s)

The petitioner is aggrieved by the mode and manner of investigation of Burdwan P.S. Case No. 218 of 2023 dated 19.02.2023 under Section 406 of the IPC.

The petitioner complains that he has leased out his vehicle as well as machineries to the private respondent, who has misappropriated the same.

The petitioner submits that he is in possession of the documents relating to the vehicle as well as those of the

machineries.

So far as the report which has been submitted by the State, it reflects that the I.O. has examined the complainant and the available witnesses as also recorded their statements.

It is also reflected from the report that only the Xerox copy of the Notorial agreement executed in between the complainant and the accused has been seized.

However, the report do not reflect whether the documents relating to the vehicle and the machineries have been seized by the police authorities.

The petitioner would hand over the said documents to the police authorities, who, by way of proper seizure list would accept the same, thereafter, if the investigating officer is satisfied, he will

pray for search warrant if the same is required for unearthing the truth associated with the case.

Having considered the nature of the case and the time period which has already elapsed in the meantime, I direct that a superior officer of the concerned Sub-Division - be it DSP and/or SDPO and/or Additional Superintendent of Police would monitor and/or guide the investigating officer so that the investigation of the case can be taken to its logical conclusion within a reasonable period of time.

With the aforesaid observations, WPA 11918 of 2023 is disposed of.

Affidavit of service so filed be kept with the record.

Report so submitted be also kept with the record.

Parties to act on a server copy
of this order duly collected from the
official website of the Hon'ble High Court,
Calcutta.

(Tirthankar Ghosh, J.)