

W.P.A. 13165 of 2024

Shri Sumitro Das
Vs.
The State of West Bengal & Ors.

Mr. Sourav Chatterjee
Mr. Pradyut Saha
Mr. Sagar Saha ... for the petitioner

Mr. Wasim Ahmed
Sk. Md. Masud ... for the State

Mr. Jagannath Ganguly ... for Pvt. Respondent

Ms. Ranjana Chatterjee ... for U.O.I.

Affidavit of service is taken on record.

Report filed by the State is also taken on record. Copy of the same be handed over to the learned counsel for the petitioner.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is a businessman would transfer money to the private respondent, who was his accountant, for depositing such money as income tax. However, it was subsequently learnt that out of a total sum of about one crore and a few lacs that the petitioner had transferred to the private respondent for such purpose, the private respondent had only deposited a sum of Rs.9,00,000/- and kept about Rs. 96,00,000/- in his own account without intimating anything to the petitioner. The petitioner lodged a complaint before the police as far back as in November 2023. Since then he was not been informed about any developments in this regard. He made further complaints before the higher police authorities, yet there was not result.

Learned counsel appearing on behalf of the private respondent denies the allegations.

Learned counsel appearing on behalf of the State relies the report and submits as follows. On the complaint of the petitioner specific F.I.R. has been lodged being Benipukur P.S. Case No. 49 dated 23.4.2024 under Sections 120B/408/467/468/471 of the Penal Code. During investigation, correspondences were made with the bank and the income tax, the complainant was examined. The debit transaction of the bank account of the accused has also been frozen.

It appears that the prime grievance of the petitioner about non registration of an F.I.R. on his complaint has already been redressed, albeit, belatedly. The petitioner is also not aware of recovery of his stolen property. In fact, the delay in registering the F.I.R. is quite a bit. One wonders whether the debit freeze was made at the right time.

Let the investigation be continued under the supervision of the Deputy Commissioner, Detective Department, Lalbazar, Kolkata. The investigation shall be concluded expeditiously and in accordance with law.

With these observations, the writ petition is disposed of.

Urgent Photostat certified copy of this order, if applied for, be given to the parties, upon competition of requisite formalities.

(Jay Sengupta, J.)