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25.06.2024
d.p.

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A 15266 of 2024

**Rajat Suvra Ghosh
-versus
The State of West Bengal & Ors.**

**Mr. Arunava Ganguly,
Mr. Debottam Das,
Mr. Samrat Banerjee,
Ms. Dibyanjona Das.
...For the Petitioner.**

**Mr. Suman Sengupta,
Ms. Priyamvada Singh,
Mr. Sanatan Panja.
...For the State.**

**Mr. Abhratosh Majumdar, Sr. Adv.
Mr. Tapash Maity,
Mr. Rahul Kumar Singh.
...For the Respondent No.4.**

After order was passed by the Court on 11th June, 2024, the three cheques which were allegedly taken from the petitioner, have been seized by the police. The vehicle by which the petitioner was taken to the police station, has also been seized. The police is continuing with the investigation.

The petitioner submits that he lodged complaint against the Investigating Officer. Submissions have been made against the Investigating Officer in the 164 Cr.P.C. statement given by the petitioner.

Learned advocate appearing on behalf of the private respondent denies that any force was applied on

the petitioner to sign the cheques. It has also been denied that any police personnel accompanied the private respondent on the date of the incident.

It has been submitted that there is a longstanding business relationship in between the parties. The petitioner was paid a considerable sum of money by the private respondent through Bank transactions. For the purpose of realization of the money, the private respondent took the petitioner to his office. The entire incident has been videographed and the video footages are in the custody of the respondent no. 4.

Upon hearing the parties, the following directions are passed:-

1) The investigation which is currently being made by Sri. Ujjal Halder, SI, Chandannagore Police Station shall immediately be taken over by the Officer-in-Charge, Chandannagore Police Station.

2) As there is allegation and counter allegation of fraud involving considerable sum of money, the Officer-in-Charge of the police station is directed to transfer the investigation of the case to the CID Anti Fraud Section.

3) The video footages captured by the private respondent and the device where the video recording was made shall be handed over to the Officer-in-Charge, Chandannagore Police Station for onward transmission of the same to the CID for the purpose of fair investigation of the case.

4) The video footages of the Chandannagore Police Station which were directed to be preserved shall also be passed on to the CID for conducting the investigation.

5) The CID shall consider all complaints and counter complaints to reach the investigation to a logical conclusion in the interest of justice.

The investigation shall be conducted strictly in accordance with law and be concluded at the earliest.

It will be open for the parties to agitate all further grievances before the Learned Trial Court in seisin of the matter.

The writ petition stands disposed of.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Amrita Sinha, J.)