

26.07.2024

WPA 17072 of 2024

Somnath Karmakar

Vs.

The State of West Bengal & Ors.

Mr. Anirban Mirta

Mr. Amit Halder

Ms. Madhumita Sadhukhan

... .. for the Petitioner

Mr. Pronojit Roy

...for the respondent no.4

Affidavit of service filed by the petitioner is kept with the record.

Learned counsel appearing for the petitioner submits that the private respondent no.4 has deliberately neglected to return an amount of Rs.2,60,000/- to the petitioner, which was collected by respondent no.4 as an advance payment for a flat. Finding no alternative, the petitioner had lodged a complaint on 04.03.2024 before the Bongaon Police Station and thereafter Bongaon Police Station on the same date started a case being Bongaon P.S. Case No.226 of 2024 dated 04.03.2024 under Section 420/406 of the IPC against the private respondent no.4 but no further steps were taken by the authorities.

No one appears on behalf of the State.

Learned counsel appearing for the private respondent no.4 submits that as payment has not been made, in full to him by the petitioner, the property cannot be handed over to the petitioner.

Heard the parties at length.

The Investigating Officer, Bongaon Police Station, district-North 24 Parganas is directed to initiate investigation regarding the case filed by the police authorities as Bongaon P.S. Case No.226 of 2024 dated 04.03.2024 under Section 420/406 of the IPC and conclude the same at the earliest.

With the above direction the writ petition being WPA 17072 of 2024 is disposed of.

No order as to costs.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajarshi Bharadwaj, J.)