

07.11.2024

Sl. No. 110

Ct. No. 35

Srimanta

WPA/25191/2024

Subir Kirtania

-Vs.-

The State of West Bengal & Ors.

Mr. K. Roy,
Mr. Apurba Ghosh,
Mr. A. Ghosh,
Mr. Souvik Das

...for the petitioner.

Mr. Wasim Ahmed,
Mr. Haroon-al-Rasheed

...for the State.

Affidavit-of-service so filed in Court today be kept with the record.

The petitioner is aggrieved by the act and action of the private respondents who happens to be employees of Avanse Financial Services Limited. Petitioner admits that his son had taken a loan. He repaid a major portion of the loan. However, some part were due which is for reason beyond his control. As his son is presently at USA petitioner being a co-borrower is being harassed by the employees and officials of the respondent No. 5.

Learned advocate appearing for the State submits that police has enquired. However, they have not been able to substantiate that a cognizable offence has been made out.

In view of the petitioner contending that he has suffered, I grant liberty to the petitioner to approach

the jurisdictional Criminal Court under Section 175(3) of BNSS Act, 2023. The jurisdictional Criminal Court would act adhering to the provisions of law and thereafter assess regarding the contentions and proceed in accordance with the settled proposition of law.

With the aforesaid observations, WPA 25191 of 2024 is disposed of.

All parties are to act on the server copy of this order duly downloaded from the official website of the Calcutta High Court.

(Tirthankar Ghosh, J.)