

A-13
Ct No.09
08.01.2024
TN

WPA No. 24965 of 2022

Dipak Ranjan Das
Vs.
The State of West Bengal and others

Mr. Balai Lal Sahoo

.... for the petitioner

Mr. Malay Kr. Singh,
Mr. Tapas Ballav Mondal

.... for the State

- 1.** The petitioner submits that the petitioner presented a deed for registration to the registering authorities. However, since it was alleged subsequently that the stamp papers affixed to the deed were forged, a criminal case has been initiated and the registration is being held up to the detriment of the petitioner. The petitioner, it is submitted, is agreeable to put in the money equivalent of the allegedly forged stamp papers.
- 2.** Learned counsel for the State submits that, on principle, the State has no objection to the same. However, it is pointed out that the original deed is now lying with the police authorities in connection with the P.S. Case No. 247 of 1991 dated September 03, 1991.

- 3.** Be that as it may, the criminal investigation which might be going on in connection with the allegedly forged stamp papers need not be interdicted in any manner. The purpose of justice would suffice if the petitioner deposits the money equivalent of the forged stamp papers and for such limited purpose, the police authorities send the document-in-question to the registering authorities for a limited period.
- 4.** Accordingly, WPA No. 24965 of 2022 is disposed of by granting liberty to the petitioner to approach the appropriate police authorities with whom the original deed which was presented by the petitioner for registration is lying at present. If so approached, the police authorities shall act on the server copy of this order coupled with the communication of the learned Advocate for the petitioner and send the said deed including forged stamp papers in a sealed cover under sufficient protection to the respondent no.4, that is, the Additional District Sub-Registrar, Contai-II, for the limited purpose of registering such deed. Upon such deed being sent, and the petitioner depositing the money equivalent of the allegedly forged stamp papers with the respondent no.4 immediately after the deed is

sent to the respondent no.4, the said respondent shall carry out the registration of the said deed and issue a certified copy of the said document upon proper application in that regard being made by the petitioner after completion of such registration.

5. Immediately after the process of registration is over, the respondent no.4 shall send back the allegedly forged stamp papers along with the deed to the police authorities for the purpose of facilitating proper investigation. It is made clear that if it is possible to segregate the allegedly forged stamp papers from the deed-in-question, the police authorities shall, to comply with the above direction, send only the deed devoid of the stamp papers which may be deemed as sufficient compliance of this order, in which event also the respondent no.4 shall, after completion of the process of registration, send back the deed to the police authorities.

6. There will be no order as to costs.

Urgent photostat certified copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Sabyasachi Bhattacharyya, J.)