

37 05.01.2024
NB Ct. 14

WPA 24533 of 2023

Ganesh Chandra Roy
Vs.
The State of West Bengal & Ors.

Mr. Sabir Ahmed,
Mr. Tasnim Ahmed,
Mr. Dhiman Banerjee,
Ms. Sumon Biswas.
...for the petitioners.

Mr. Saikat Chatterjee,
Ms. Debleena Dasgupta.
....for the State.

Mr. Sounak Bhattacharyya,
Mr. Chandra Nath Sarkar.
...for the respondent nos.5&6.

Affidavit of service filed on behalf of the petitioner is taken on record.

Report filed on behalf of the State is also taken on record.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is aged about 99 years old. He had executed a Power of Attorney in favour of his son in respect of his property. After selling the property, the son misappropriated the entire sum. First, the money was taken into the joint bank account of the petitioner and the private respondent/son. Thereafter, the money was diverted to the bank accounts of the private respondent and his wife. Despite making a complaint before the police authorities, no step has been taken.

Learned counsel appearing on behalf of the private respondents submits as follows. The allegations made in the

writ petition are denied. At this advanced age, the father is under the control of the sister of the private respondent. The private respondent has only kept the sum in safe custody. He is willing to return the same after deducting the expenses incurred by him. The private respondent has already obtained bail in the criminal case filed by the petitioner.

Learned counsel appearing on behalf of the State relies on the report and submits that the prime grievance of the petitioner has already been redressed and an FIR, being Tangra PS Case No.298/2023 under Sections 420, 406 and 120B has also been registered.

Since the prime grievance of the petitioner about non-registration of an FIR on his complaint has already been redressed, no further order need be passed in this regard.

Let the investigation be concluded expeditiously and in accordance with law.

With these observations, the writ petition is disposed of.

As affidavits were not called for, allegations contained in the writ petition are deemed not to have been admitted.

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J.)