

D/L 8
20.11.2024
Kausik
ct.no.35

W.P.A. 26905 of 2024

**Prabhu Das
Versus
The State of West Bengal & Ors.**

Mr. Ananya Sau

...for the petitioner.

Mr. Amitesh Banerjee, Sr. Adv.
Ms. Ipsita Banerjee

...for the state.

Petitioner has preferred the present writ petition as he relied upon certain persons who have taken away gold ornaments weighing 112.420 grams along with some money. To that effect, on the complaint Muchipara PS Case No. 46 dated 03.04.2024 was registered for investigation under section 408 of the Indian Penal Code.

Affidavit of service so filed be kept with the record.

Grievance of the petitioner is that, although the FIR has been registered, but there has been no efforts to search and seize the gold ornaments which were taken away, removed or misappropriation was committed in respect of the same. To that effect, learned advocate for the state submitted the notices under section 41A of Cr. P.C. which was sent through

the jurisdictional police station at Rajasthan which is the address provided by the complainant himself. The investigation of the case has commenced on 03.04.2024. More than seven months have passed since then and the response under section 41A Cr.P.C. is not prompt. The investigating officer of the case would take steps before the jurisdictional court for issuance of harsher process of law which would include non-bailable warrant of arrest, proclamation and attachment (step by step).

In light of the observations made above the purpose for which the writ petition has been preferred, has been subserved. Investigating officer would take steps as directed above.

Report so submitted be kept with the record.

With the aforesaid observations WPA 26905 of 2024 is disposed of.

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

(Tirthankar Ghosh, J.)