

03-07-2024
Item No.11
Subrata
Bhattacharyya
AR(C)

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side

WPA No.27232 of 2023
Buddhadev Paul

-vs-
The State of West Bengal & Ors.

Mr. Ankit Agarwala
Ms. Alotriya Mukherjee ...for the petitioner

Mr. Suman Ghosh
Mr. Siddhartha Ghosh ...for the State

Mr. Moyukh Mukherjee
Mr. Kaustav Lal Mukherjee
Mr. Abhijit Singh
Ms. Sagarika Banerjee ...for respondents no.6-8

Ms. Reshmi Ghosh
Mr. Ranjit Singh
Ms. Pragya Barua
Mr. Ratul Deb Banerjee ...for respondent no.9

The grievance of the petitioner is that FIR No.299 dated November 11, 2020 was not being investigated property.

From the report filed by the Officer-in-Charge, Lake police station signed on July 3, 2024 it appears that at the time of investigation, one of the FIR named accused persons, Pinaki Manna, was arrested on December 9, 2023 and that he is now on court bail till September 3, 2024. Some of the accused persons were examined.

Investigation revealed that the accused persons forged the original sanctioned plan of the building which was issued by the Kolkata Municipal Corporation,

Building Department by changing the numbers of the flat in question and used the same as genuine and sold the property in question to the complainant and others by registering five deeds thereby cheating the complainant and others. Charge-sheet being no.119/2024 dated July 2, 2024 under sections 120B/420/467/468/471 IPC has been prepared and the same would be submitted before the learned trial court shortly. On receipt of further evidence/materials supplementary charge-sheet would be filed.

Copy of the police report be circulated amongst the learned advocates for the respective parties.

In my view, the writ court cannot give further relief to the petitioner under Article 226 of the Constitution.

The parties are at liberty to take further steps in the matter before the learned trial court in seisin of the matter.

The writ petition stands disposed of.

Certified copy of this order, if applied for, shall be made available to the parties.

[Amrita Sinha, J]

