

28.02.2025
Item No.24
Ct. No.35
dc.

W.P.A. 948 of 2025

**Birendra Nath Sarkar
versus
State of West Bengal & Ors.**

Mr. Samir Kumar Dhar ... For the Petitioner.

Mr. Wasim Ahmed,
Mr. Sk. Md. Masud ... For the State.

Mr. Debtanay Banerjee,
Ms. Sayani Roy Chowdhury,
Mr. Vishal Singh,
Mr. Biswajit Halder ... For the Respondent Nos.5 & 6.

Report submitted by the learned advocate appearing for the State be kept with the record. A copy of the report be handed over to the learned advocate appearing for the petitioner.

Pursuant to the direction passed by this Court, Cyber Crime PS HPC Case No. 02/2025 dated 25.01.2025 was registered for investigation. One person was arrested. The investigation of the case is in progress. A sum of Rs.2,50,000/- has already been traced. The investigating agency is working on the issue. Several raids have been conducted. Let the investigation of the case continue and be taken to its logical conclusion.

The petitioner prays for waiver of the bank accruals. However, the same is not within the domain of this Court. It has been submitted that the banking ombudsman and the appellate authority of the said ombudsman are dealing with the issues concerned.

So far as the domain of this Court is concerned, it is directed that the police authorities *prima facie* have found out a case of the petitioner being defrauded by way of impersonation. Accordingly, the police authorities would arrive at their findings by exhausting all processes of law.

With the aforesaid observations, the writ petition being WPA 948 of 2025 is disposed of.

There will be no order as to costs.

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

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)