

13.03.2025
Court No. 35

Item No.1
Rakib

W.P.A. 4624 of 2025

Jahar Roy.
VS
The State of West Bengal & Ors.

Mr. Sayan De,
Mr. Sayan Kanjilal,
Ms. Rimik Chakraborty.
... for the Petitioner.
Mr. Santanu Kr. Mitra,
Mr. Subhbrata Das.
... for the State.

Affidavit-of-service filed by the petitioners be kept
with the record.

Petitioner has approached this Court as according
to the petitioner there are no cases pending against him
and inspite of the same notices are being issued to appear
before Kasba Police Station. Inspite of search of the
records of the Court it has transpired that petitioner has
no business with Kasba PS FIR no. 813 dated 11.01.2025
and a notice has been served upon him with reference to
the aforesaid case. It has also been submitted that the
police authorities are compelling the petitioner to settle
the issue, although the petitioner is innocent of the
charges as he claims that his account was hacked.

Learned advocate for the State has submitted two
reports. So far as the report furnished by the Deputy
Commissioner of Police, South Suburban Division is
concerned it reflects that inadvertently Kasba PS FIR no.

813 has been referred to in the notice and it should be read as 'Kasba PS GDE No. 813'.

Another report has been submitted by the Inspector-in-Charge, Maynaguri Police Station wherein reference was made in connection with a case being Cyber Crime PS, Kurukshetra, Haryana FIR No. 179/2024 dated 24.12.2024 in respect of which police authorities came down to Maynaguri and conducted raid at the house of the present petitioner. The report also reflects that there are notice under Section 35(3) of the BNSS was issued for appearance before Cyber Crime PS, Kurukshetra, Haryana.

Having regard to the fact that presently the issue which has been canvassed by the petitioner relate to Kasba PS GD Entry no. 813, I am of the opinion that till date no case has been registered by the police station. Notice has been issued to the petitioner, accordingly petitioner would as submitted meet with the concerned police officer who has issued notice preferably by 23rd of March, 2025.

With the aforesaid observations WPA 4624 of 2025 is disposed of.

Reports submitted by the State be kept with the record.

A copy of the report be handed over to the learned advocate appearing for the petitioner.

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.)