

24.03.2025
Court No. 35
Item No.11
Rakib

W.P.A. 5374 of 2025

Souvik Prodhan.
VS
The State of West Bengal & Ors.

Mr. Soumyajit Das Mahapatra,
Ms. Madhurai Sinha,
Mr. Ranabeer Halder.
... for the Petitioner.
Mr. Rajarshi Basu,
Mr. Subhendu Sengupta.
...for the State.

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

Petitioner is aggrieved by the fact that the accused
misappropriated a sum of Rs.1.5 lakh by misrepresenting
that he would secure a job to the petitioner at a private
concern. After accepting such money the petitioner tried
to avoid the petitioner by closing his office and was not
traceable.

Be that as it may, on receipt of such information
police authorities were reluctant to register a case.
Petitioner approached the learned Chief Judicial
Magistrate, Medinipur pursuant to the direction under
Section 175(3) of the BNSS, police authorities registered
Kharagpur (Local) P.S. case no. 146/2025.

Learned advocate appearing for the State has
submitted a report. Report reflects that pursuant to the
direction received police authorities have seized the fake
appointment letters, recorded statement of the witnesses

both under Section 180 of the BNSS and also forwarded some of the witnesses before the learned Judicial Magistrate for their statement to be recorded under Section 183 of BNSS. The investigation of the case according to the State is progressing.

Since the subject matter of the case is under investigation, police authorities will check the bank accounts, lockers and any other mode by which there is a possibility of receiving money in such illegal manner and either siphoning of the same or surreptitiously retaining the same in a design manner.

To that effect the investigation must be carried out. Petitioner would be at liberty to approach the learned Magistrate in seisin of the present criminal case after period of 45 days, thereby calling for a progress report whether the order of the High Court has been complied with by the investigating officer of the case. Learned Chief Judicial Magistrate, Medinipur would give an outline regarding the steps taken in course of investigation to the present petitioner who happens to be de facto complainant of the case.

With the aforesaid observations WPA 5374 of 2025 is disposed of.

Report so submitted by the State be kept with the record.

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.)