

28.08.2025
Court No. 35
M/L. No.432
Rakib

W.P.A. 5418 of 2025

Aloke Kumar Ghosh
VS
The State of West Bengal & Ors.

Mr. Bidyut Kr. Halder
Mr. Indranil Halder
...for the Petitioner.
Mr. Uttam Kumar Mondal
Mr. Ananta Prakash Biswas
Mr. Bhaskar Malakar
...for respondent no.4

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

Petitioner is aggrieved by the fact that a loan of Rs. 6,00,000/- was granted on 10.03.2020 by the petitioner to the private respondents. Petitioner is presently aggrieved that the cheque was dishonoured and in spite of Narendrapur Police Station being informed regarding the incident no steps were taken. The last of such representation was made on 23.09.2024.

On the other hand learned advocate for the private respondent submits that for dishonor of cheque, petitioner would better be advised to approach the jurisdictional Magistrate under Section 138 of the Negotiable Instruments Act and police authorities have no business to interfere in such dispute.

Having considered that the petitioner is aggrieved by the dishonor of the cheque and for having suffered, as allegedly the cheque was issued in discharge of liability, I

am of the view that if the petitioner has materials in his custody, petitioner would be advised to approach the jurisdictional Civil and/or Criminal Court, provided till date the police authorities did not take any steps.

With the aforesaid observations WPA 5418 of 2025 is disposed of.

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.)