

D/L 36
24.03.2025
Kausik
ct.no.35

W.P.A. 5508 of 2025

**Profectus Capital Private Limited
Versus
State of West Bengal & Ors.**

Mr. Satadru Lahiri
Ms. Sonia Mukherjee
Mr. Biswaroop Ghosh
Mr. Deep Bairagi

...for the petitioner.

Mr. Robin Singh

...for the respondent nos. 6, 7 & 8.

Mr. Swapan Banerjee, AGP
Mr. Diptendu Narayan Banerjee

...for the state.

Petitioner is aggrieved by the manner in which the investigation has progressed in connection with Shakespeare Sarani Police Station Case No. 115 dated 25.07.2024.

Learned advocate submits that no efforts were taken for tracing out the collateral machine which was furnished and against whom loan was granted to the private respondent.

Petitioner is also aggrieved by the manner in which anticipatory bail was subsequently granted on second attempt by the accused person and to that effect raises question regarding the

Investigating Officers approach towards the investigation.

Having considered the nature of the offence which has been complained, the Investigating Officer in the circumstances should have checked regarding the whereabouts of the collateral, if the same has been sold out in spite of taking loan by way of depositing such machine. The investigating agency will put in efforts to trace out the machine concerned and would try to arrive at their conclusion within a reasonable period of time.

The Inspector-in-charge of Shakespeare Sarani Police Station will monitor the investigation and thereafter each and every 15 days submit a report before the learned CJM, Calcutta till the report under section 193 is submitted before the jurisdictional court.

With the aforesaid observations WPA 5508 of 2025 is disposed of.

Report so 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 parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Tirthankar Ghosh, J.)