

28.04.2025
Court No. 35
Item No.10
Rakib

W.P.A. 7499 of 2025

Shyamal Sinha.
VS
The State of West Bengal & Ors.

Mr. Apalak Basu,
Mr. Shuvam Kanjilal.
...for the Petitioner.

Mr. Santa Sarkar,
Ms. Richa Pramanik.
...for respondent no.4.

Mr. Joydip Banerjee,
Mr. Prabir Kr. Roy.
...for State.

Petitioner approached this Court as he is aggrieved regarding the progress of Mahishadal PS Case no. 370/24 dated 18.08.2024 under Sections 406/420/506 of the Indian Penal Code. The main grievance of the petitioner is that the petitioner was deceived by the private respondent no.4 by promising him a job and to that extent took a sum of Rs.8,00,000/-.

State has submitted a report which reflects that efforts have been taken by the Investigating Officer by way of serving notice under Section 41A of the Cr.P.C. Since the respondent no.4 did not respond, raids were conducted. However, till date neither the misappropriated money could be traced nor the respondent no.4 could be located by the Investigating Officer.

Learned advocate for the respondent no.4 appears and submits that respondent no.4 has also initiated a case at Durgachak Police Station.

Be that as it may, having regard to the present case being Mahishadal PS case no. 370/24 dated 18.08.2024, I find that more than eight months have passed till date the police authorities could not create any circumstance for taking the investigation to a logical conclusion.

Accordingly, I direct that a Superior Officer of Police in the rank of Additional S.P./SDPO In-Charge of Mahishadal police station will monitor the investigation of the case. The Investigating Officer will report to such Superior Officer once in every 15 days regarding the progress made during the course of the said 15 days. The Superior Officer will also consider whether the process have been exhausted if the respondent no.4 do not come within the fold of law.

With the aforesaid observations WPA 7499 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 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.)