

Sl.No. 213 01.05.2025
Court No. 35
G.S.Das

WPA 8268 of 2025

Shib Kumar Bhadra
-Vs-
The State of West Bengal & Ors.

Mr. Purnasish Gupta
Mr. Mukul Kumar Mitra
Mr. Jayanta Kumar Mukhopadhyay
... for the Petitioner(s)
Ms. Jhuma Chakraborty, Id. Sr. Adv.
Ms. Munmun Tewary
... for the State-respondent(s)
Mr. P. P. Dasgupta
Mr. A. Dey
... for the respondent

The petitioner is aggrieved by the fact that in spite of informing the police authorities by way of a communication dated 05.08.2024, no steps have been taken by the police authorities. Learned advocate submits that there has been forgery of the title deed of the property by way of which subsequent transactions/transfers have taken place.

Mr. Dasgupta, learned advocate for the private respondent(s), on the other hand, submits that a civil suit being T.S. 379 of 2024 is pending before the

learned Civil Judge (Jr. Divn.), 2nd Court, Hooghly and the issue relating to authenticity of the said title deed is already the subject-matter before the learned civil court.

Learned advocate further submits that the respondent nos. 6 and 7 have no complicity in the alleged communication so made. The specific allegation is against their father.

State has submitted a report which reflects that on the basis of the complaint of one Rina Gupta, Polba P.S. Case No. 243 of 2024 dated 23.08.2024 was registered for investigation and after conclusion of investigation, charge-sheet has already been submitted before the learned jurisdictional court.

Learned advocate for the petitioner takes an exception to the fact that so far as the petitioner's case is concerned, the same is distinguishable from that of the

case of Rina gupta.

The police authorities have restrained themselves from acting on such information.

Having regard to the plight expressed by the petitioner, I am of the view that the petitioner would approach the jurisdictional Magistrate under Section 175(3) of the BNSS. The learned Magistrate would assess whether any cognizable offence is made out as also ascertain whether any case for investigation is made out, thereafter, exercise his/her discretion in accordance with law.

With the aforesaid observations, WPA 8268 of 2025 is disposed of.

Pending application(s), if any, is also disposed of.

Report so submitted be kept with the record.

Parties to act on a server copy of this

order duly collected from the official website of the
Hon'ble High Court, Calcutta.

(Tirthankar Ghosh, J.)