

05.05.2025

Item No.69

Ct. No.35

dc.

W.P.A. 8664 of 2025

Swarup Dey @ Swarup De & Ors.

versus

The Union of India & Ors.

Mr. Sourov Mondal,
Mr. Rony Mondal,
Mr. Arijit Bhuniya ... For the Petitioners.

Mr. Rajdeep Mazumder, Ld. DSGI,
Mr. Loknath Chatterjee ... For the Union of India.

Mr. Suman Ghosh,
Mr. Siddhartha Ghosh ... For the State.

Ms. Soni Ojha ... For the Respondent Nos.10 & 11.

Mr. Rabindra Kumar Mitra,
Mr. Nishant Shukla ... For the Respondent No.12.

Affidavit-of-service and supplementary filed
on behalf of the petitioners be kept with the record.

Report submitted by the learned advocate
appearing for the State be also kept with the record.
A copy of the report be handed over to the learned
advocate appearing for the petitioner.

The petitioners have approached this Court
as the police authorities being the Officer-in-
Charge, Girish Park Police Station refused to act on
the information so furnished on or about
02.04.2025.

Learned advocate appearing for the
petitioners draws the attention of the Court to the
relevant transactions which have been presented in
the complaint in a tabular form and also in respect
of the other transactions which have been referred
to in the complaint. The grievance of the petitioners

is that there has been a fraudulent act and activity on behalf of the accused persons and there has been a wrongful loss to the extent of Rs.38,63,438/-.

State has submitted a report which reflects that on receipt of information furnished on 02.04.2025, Girish Park Police Station Case No. 49 dated 17.04.2025 has been registered for investigation. Notice has been issued under Section 94 of BNSS upon the Manager of ICICI Bank, Camac Street Branch for relevant documents.

The investigation has commenced and not even a month has passed. I have considered the grievance of the petitioners particularly the prayer which was initially for registration of the FIR. The FIR has been registered. The mode and manner of the investigation at this nascent stage, cannot be assessed by the Court. Police authorities are directed to trace out the amount of money which the petitioners complained of was received by defrauding them. To that effect, steps be taken adhering to the provisions of BNSS. In case there is non-cooperation from the available witnesses particularly, the bank authorities, police authorities will not deter from taking any harsh step against them.

Learned advocate appearing for the Bank submits that the documents have been furnished to the police authorities on 22.04.2025.

Be that as it may, police authorities would put in their efforts and pursue the investigation of the case effectively so that the same is taken to its logical conclusion within a reasonable period of time.

With the aforesaid observations, the writ petition being WPA 8664 of 2025 is disposed of.

There will be no order as to costs.

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.)