

15.05.2025
Court No. 35
Item No.229
Rakib

W.P.A. 10032 of 2025

Monjulika Dutta.
VS
The State of West Bengal & Ors.

Mr. Aashutosh Bhattacharyya,
Mr. Aritra Roy.

...for the petitioner.

Mr. Arvind Gupta.

...for respondent no.6&8.

Mr. Vimal Kumar Shahi, Ld. AGP,
Ms. Kalpita Paul.

...for State.

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

Petitioner complains that the vehicle was
repossessed by the financier without any notice.
Subsequently, petitioner has cleared all the dues.
Thereafter, the petitioner was handed over with the
vehicle but the parts of the vehicle were not available,
thereby reducing the vehicle to a junk. Petitioner
complains that inspite of repeated informations being
furnished in respect of the incident no steps have been
taken.

However, learned advocate for the State has
submitted a report. Report is enclosed with a document
which reflects that on the basis of information furnished
on 10.12.2019 by the present petitioner Burdwan PS case
no. 1000/19 was registered for investigation and on
conclusion of investigation charge-sheet has been

submitted under Sections 420/406 of the Indian Penal Code before the jurisdictional Court.

Learned advocate for the private respondents submit that the case which has been registered is on the basis of false and frivolous accusations and there is no foundational facts leading to the FIR and/or the charge-sheet so submitted.

Having considered the rival submissions, I am of the view that if charge-sheet has been submitted before the jurisdictional Court, petitioner would be at liberty to ventilate his grievance before the concerned Court.

With the aforesaid observations WPA 10032 of 2025 is disposed of.

Report so submitted by the State be kept with the record.

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.)