

23.05.2025
Item No.14
Ct. No.35
dc.

W.P.A. 10285 of 2025

**Sri Pranab Kumar Dey
versus
The State of West Bengal & Ors.**

Mr. Pranab Kumar Dey ... Petitioner (In Person).

Mr. Amal Kumar Sen, AGP,
Mr. Lal Mohan Basu ... For the State.

Mr. Debtanay Banerjee,
Ms. Sayani Roy Chowdhury
... For the Respondent Nos. 7 & 8.

Report submitted by the learned advocate
appearing for the State be kept with the record.

The petitioner has approached this Court
being aggrieved by the investigation of Howrah P.S.
Case No. 319 of 2024 dated 30.08.2024. Petitioner's
main grievance presently is restricted to the extent
that after information being furnished, Axis Bank
has frozen the account and to that effect, a sum of
money is lying in the said account. As the petitioner
was defrauded of Rs.1,25,000/- by way of
impersonation, he needs refund of the amount
which is presently available at the bank where the
account has been frozen.

Mr. Sen, learned AGP appearing for the State
submits that a sum of money is lying in the
account of the accused who has defrauded the
present petitioner and the said account has been
frozen.

Be that as it may, since the Chief Judicial
Magistrate, Howrah or any Judicial Magistrate is

in-charge of Howrah P.S. Case No. 319 of 2024 dated 30.08.2024, petitioner is granted liberty to take out an application before the learned Magistrate who is in seisin of the said criminal case for return of the money which has been frozen. In case such an application is taken out by the petitioner, learned Magistrate would pass necessary directions after perusing the case diary and hearing the State. If the petitioner takes out such application, the same may be disposed of within a period of fortnight from the date of filing of such application.

With the aforesaid observations, the writ petition being WPA 10285 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.)