

D/L 66
22.05.2025
ct. no. 35
Kausik

W.P.A. 10731 of 2025

**Alok Kumar
Versus
State of West Bengal & Ors.**

Mr. Soumyadeep Biswas

...for the petitioner.

Mr. Arik Banerjee
Mr. Pujon Chatterjee
Mr. Sutosom Bhattacharyya

...for the respondent no. 12.

Mr. Rajarshi Basu
Ms. Sanchayita De

...for the State.

Petitioner is aggrieved by the fact that the information furnished with the Inspector-in-Charge, Narayanpur Police Station on or about 02.05.2025 did not yield any result. Consequently, petitioner was compelled to approach this Court.

Learned advocate appearing for the respondent no. 12 submits that if there is any dispute which the petitioner has canvassed, the same is with regard to the developer. Respondent no. 12 has no issues to deal with the same and has unnecessarily been impleaded as a party. It has also been brought to the notice that the petitioner has

approached the Consumer Forum and the nature of the dispute complained of is civil dispute.

Mr. Basu, learned advocate appearing on behalf of the State submits that till date the police authorities did not take any steps except to the extent of conducting an enquiry and arriving at their own conclusion.

Be that as it may, since the petitioner claims to have suffered a wrongful loss, petitioner would be at liberty to approach the jurisdictional Magistrate under section 175(3) of the BNSS. Learned Magistrate will assess whether a cognizable offence is made out, ascertain whether a case for investigation is made out and thereafter pass necessary directions in accordance with law.

With the aforesaid observations WPA 10731 of 2025 is disposed of.

Report so submitted be kept with the record.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Tirthankar Ghosh, J.)