

Sl.No. 87 02.05.2025
Court No. 35
G.S.Das

WPA 18716 of 2022

Ashimananda Maity
-Vs-
The State of West Bengal & Ors.

Mr. B. Chowdhuri
Ms. B. Gupta
... for the Petitioner(s)

Mr. Gourav Das
... for the State-respondent(s)

The petitioner is aggrieved by the fact that in spite of informing the Officer-in-charge of Namkhana police station on or about July, 2022, no steps have been taken.

The petitioner alleges that the title deed has been forged at the behest of the private respondent(s) and, in spite of informing the police station, no steps have been taken.

Learned advocate for the State submits that a civil suit is pending between the parties. The learned Civil Judge (Sr. Divn.), Diamond Harour is *in*

seisin of the issues.

Be that as it may, since the police authorities have refused to take steps so far as the accusation relating to forgery of the documents are concerned, the petitioner would be at liberty to approach the jurisdictional Magistrate by invoking the relevant provisions of Section 156(3) of the Cr.P.C. and/or Section 175(3) of the BNSS. The learned Magistrate would ascertain the genuinity of the accusations, thereafter, ascertain whether any case for investigation is made out, *only*, then the learned Magistrate would exercise his/her discretion for passing necessary directions.

Since, last of the information was furnished with the Namkhana P.S. in July, 2022, the petitioner, if so advised, would prefer an application before the learned Magistrate after filing a fresh representation before the Officer-in-charge of Namkhana

Police Station.

With the aforesaid observations,
WPA 18716 of 2022 is disposed of.

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

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.)