

02.09.2025

Item No.31

Ct. No.35

dc.

W.P.A. 19618 of 2025

**Shri Somnath Chatterjee
versus
The State of West Bengal & Ors.**

Mr. Mit Guha Roy,
Ms. Isha Jaiswal ... For the Petitioner.

Mr. Vivekananda Bose,
Mr. Gourav Das ... For the State.

Affidavit-of-service filed in Court today be kept with the record.

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

Petitioner approached this Court being dissatisfied with the investigation carried out in connection with Thakurpukur P.S. Case No. 305 dated 26.10.2024.

State has submitted a report which reflects that in course of investigation, the subject money which is Rs.39,500/- has been identified and steps have been taken to return the money to the complainant's account.

Surprisingly in the meantime, the police authorities have closed the investigation declaring the final report to be true by way of Challan No. 41 of 2025 dated 11.08.2025.

So far as the final report is concerned which has been submitted under Section 193 of BNSS, the same in the factual circumstances of the case is hereby quashed.

Police authorities would ensure that the amount of Rs.39,500/- is remitted to the account of the present petitioner. Till that time, the investigation would continue. Thereafter a superior officer of police would ensure that steps have been taken which satisfies the ingredients to close the case or to submit a report for a trial to be conducted in an open court of law.

Learned advocate appearing for the State will communicate this order to the Deputy Commissioner of Police, South West Division, Kolkata for necessary compliance.

Learned advocate appearing for the petitioner is directed to bring this order to the notice of the learned ACJM, Alipore.

With the aforesaid observations, the writ petition being WPA 19618 of 2025 is disposed of.

Pending connected application, if any, is consequently 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.)