

M/L 231  
12.09.2025  
Bpg.  
ct.no.35

**W.P.A.24747 of 2024**

**Dulal Basak  
Versus  
The State of West Bengal & ors.**

Mr. Arik Banerjee  
Mr. Joyjit Dutta.  
...for the petitioner.

Mr. Wasim Ahmed  
Mr. Md. Shehabuddin.  
...for the State-respondents.

Learned advocate appearing for the petitioner is aggrieved by the factum of freezing of Rs.10 lakhs in the account of 32202130319. Petitioner submits that he is innocent of the charges and has not been informed regarding any complicity which has compelled the investigating agency to freeze the said account and not allowing the petitioner to operate the bank account.

State has submitted a report. Report reflects that Samsheganj P.S. Case No.140 of 2024 dated 09.03.2024 under Sections 420/406 of the Indian Penal Code has been registered for investigation. Report also reflects that a notice was issued under Section 160 of the Cr.P.C. Petitioner on 17.03.2025 made his appearance before the investigating officer

of the case. Again, on 22.03.2025, the petitioner was examined by the investigating officer and his statement was recorded under Section 161 of the Code of Criminal Procedure.

Having considered that the petitioner is well aware regarding his association/relation and the purpose for which the amount of Rs.10 lakhs have been put on hold and the jurisdictional court is in seisin of Samsherganj P.S. Case No.140 of 2024, petitioner would in the circumstances take out an appropriate application before the jurisdictional court in seisin of the criminal case. Learned Magistrate will assess regarding the amount which is part and parcel of the case and/or attached to the complicity of the petitioner and accordingly put on hold the amount for which the petitioner can be held responsible in a case under Sections 420/406 of the Indian Penal Code.

So far as the operation of the account is concerned from the communication which has been made it reflects that the account operation has totally not been stalled but a sum of Rs.10 lakhs has been put on hold.

In view of the directions passed above, learned Magistrate will assess regarding the quantum and thereafter pass necessary directions as he deems fit and proper.

With the aforesaid observations, WPA 24747 of 2024 is disposed of.

There will be no order as to costs.

Report so submitted be kept with the record.

A copy of the report be handed over to the learned advocate appearing for the petitioner.

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

Urgent photostat certified copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

***(Tirthankar Ghosh, J.)***