

October 28, 2025
(31) ARDR

WPA 28451 of 2023

Bijoy Kumar Nath
Vs.
The State of West Bengal & ors.

Adv. Ranjan Kali,
Adv. Mitul Chakraborty,
Adv. Payel Nath,
...for the petitioner.

Adv. Debashis Saha,
Adv. Avirup Roy Sanyal,
Adv. Sucheta Pal,
...for the SBI.

Adv. Sirsanya Bandhopadhyay,
Adv. Pinaki Dhole,
Adv. Amritalal Chatterjee,
...for the State.

Affidavit in opposition filed by the State and affidavit
in reply filed by the petitioner are taken on record.

Heard learned counsels for the parties.

In the process of deactivating the ZEE5 App, the petitioner came across a phone number in the Google platform and downloaded a particular App in response to the instruction given to him from the said number. The petitioner found an amount of Rs.8 lakhs being credited to his savings account with the State Bank of India, Rajabagan Dockyard Branch out of which Rs.5 lakhs was debited immediately. The petitioner did not apply for any loan before the bank. The petitioner contacted the bank and the remaining amount of Rs.3 lakhs was withheld in his account. A complaint was lodged by the petitioner pursuant to which specific case has been registered. Investigation is in progress. The petitioner seeks a direction

upon the Investigating officer to conduct proper and effective investigation of the case.

Upon consideration of the submission made on behalf of the parties, this Court is inclined to hold that since investigation is in progress, the Investigating officer be directed to conduct proper and effective investigation and come to a logical conclusion with regard to the allegations of the petitioner in the FIR.

No fruitful purpose shall be served by keeping the writ petition pending. The same is accordingly disposed of.

There shall however, be no order as to costs.

Since no affidavit has been invited from the bank, the allegations contained in the writ petition shall be deemed not to have been admitted by the bank.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)