

D/L 85
13.01.2025
Kausik
ct.no.35

W.P.A. 30632 of 2024

**Asit Kumar Sarkar
Versus
State of West Bengal & Ors.**

Mr. Ranjan Kali
Mr. Suraj Bhattacharjee

...for the petitioner.

Mr. Narayan Debnath

...for the respondent nos. 6 & 7.

Mr. Dipanjan Datta, Sr. Govt. Adv.
Mrs. Sukanya Datta

...for the state.

Petitioner is aggrieved by the progress of
Balurghat PS Case No. 145/2023 dated 23.02.2023.

The subject matter of the case relates to
cheating and forgery and is based on documents.

So far as the specimen signature of the
defacto complainant is concerned, that has already
been taken pursuant to directions passed by the
learned Magistrate. But for comparing the said
signature with a standard document, police
authorities have informed the bank and has applied
to the bank for original documents of loan having
been allotted.

However, the bank authorities have informed that without direction from the court the same cannot be handed over to the investigating agency.

Considering the aforesaid, I direct that the Investigating Officer to take out an appropriate application before the learned Magistrate who is in seisin of the matter. Learned Magistrate will pass necessary directions by exercising its discretion for seizing the necessary documents from the bank authorities at the instance of the Investigating Officer.

The investigation commenced in February, 2023. More than one year and eleven months have passed.

The Deputy Superintendent of Police is directed to monitor the investigation further so that the same is taken to its logical conclusion within a reasonable period of time.

With the aforesaid observations WPA 30632 of 2024 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.)