

Court No. 2
(1490)

Calcutta High Court
In the Circuit Bench at Jalpaiguri
Appellate Side

03.04.2025
(JPD 4)

WPA 593 of 2025

(S. Banerjee)

Prem Chand Prasad
Vs.
State of West Bengal & Ors.

Mr. Bibek Jyoti Basu, Sr. Advocate
Mr. Sondeep Prasad Shaw
Ms. Smita Sinha Mitra
Mr. Aman Kumar Singh

... for the petitioner

Mr. Joyjit Choudhury, Ld. AAG
Ms. Bedashruti Bose
Mr. Sandip Guha Roy

... for the State

The grievance of the petitioner is that the police authorities have not taken any effective step excepting registration of an FIR pursuant to the complaint lodged by the petitioner. The petitioner claims that there was a contract between the petitioner and the private-respondent who is running a catering business for making catering arrangements on the account of marriage ceremony of the daughter of the petitioner. It has been alleged that though an earnest money pursuant to such contract was paid, the private respondent failed to perform his part of the contract.

Mr. Basu, learned Senior Counsel for the petitioner, submits that since the private-respondent did not perform his part of the contract, the petitioner had suffered serious loss and prejudice as well as financial constraints. He submits that since the petitioner was cheated, he lodged a complaint with the police authorities and an FIR has been registered and a charge-sheet has been filed without taking any effective step for apprehending the accused.

The learned Additional Advocate General appears through virtual mode. He submits that immediately after receiving the complaint an FIR was registered and after completion of investigation the charge-sheet has been laid. He further submits that the Chief Judicial Magistrate, Kalimpong has issued summons to the accused and the next date has been fixed on June 2, 2025 for service returns.

Since the matter is pending before the learned Chief Judicial Magistrate, Kalimpong, petitioner will be at liberty to approach the learned Chief Judicial Magistrate seeking appropriate relief.

The learned Chief Judicial Magistrate, Kalimpong is requested to conclude the trial expeditiously.

With the above observations and directions
WPA 593 of 2025 stands disposed of.

(Hiranmay Bhattacharyya, J.)