05.10.2026
249 Court No. 05
(ML) (Suvendu Mukherjee)

IN THE HIGH COURT AT CALCUTTA

CONSTITUTIONAL WRIT JURISDICTION
(APPELLATE SIDE)

WPA 1646 of 2026

PRAKASH CHANDRA LATH
–Versus –
THE STATE OF WEST BENGAL & ORS.

Mr. Mayukh Mukherjee
....for the petitioner

1) In order to get a direction from this Court in the form of mandamus, present writ petition is preferred thereby directing concerned police authorities to take necessary steps in the investigation of Purulia Town Police Station Case No. 51/24 dated 13th March, 2024; in alternative prayer is made for transferring the investigation of aforesaid criminal prosecution to any independent investigating agency namely Central Bureau of Investigation (CBI) or Criminal Investigation Department (CID).

2) A complaint was lodged on 13th March, 2024 giving rise to aforesaid criminal prosecution and it was alleged that documents pertaining to property were submitted before concerned Bank authorities containing forged signature of complainant being one of co-sharers.

3) Mr. Mukherjee, learned advocate for petitioner has strenuously argued by placing reliance on order dated

9th May, 2024 passed by a coordinate Bench on Criminal Revisional Application being CRR 1622 of 2024 filed by accused persons and observation made by another coordinate Bench in order dated 19th June, 2025 while rejecting pre-arrest bail application being CRM (A) 1947 of 2025. It is also submitted that order passed by the coordinate Bench on 9th May, 2024 on Criminal Revisional Application was not interfered with by the Hon'ble Supreme Court and Special Leave Petition preferred against said order dated 9th May, 2024 was dismissed vide order dated 2nd August, 2024.

4) Taking note of view expressed on behalf of Investigating Officer before the coordinate Bench in connection with Criminal Revisional Application that custody of petitioner of Criminal Revisional Application was needed, following directions were issued vide order dated 9th May, 2024:-

> "1. The ACJM, Purulia will direct the bank authorities to hand over the settlement deed.
>
> 2. Signatures of all the persons appearing therein (provided they are alive) be directed to be taken and sent for examination by the handwriting expert
>
> 3. In case the investigating officer requires the presence of the present petitioners, the investigating officer would be at liberty to serve notice upon them.
>
> 4. If the investigating officer is of the view that the custody of the petitioners are required for the purposes of the present case, going by the materials

which have been collected, he would be at liberty to exercise his powers under the law after obtaining the opinion of the handwriting expert.

5. In the meantime, it would be the liberty of the petitioners to approach the appropriate court of law to exhaust the remedy available to them."

5) In this writ petition it is not the case of petitioner that directions contained in order dated 9th May, 2024 which were required to be followed by Investigating Officer, were not taken into consideration while investigating aforesaid criminal prosecution. Moreover, it appears from submission made on behalf of petitioner that on completing investigation of aforesaid criminal prosecution charge-sheet dated 23rd January, 2026 was filed before the jurisdictional Magistrate. However, it is submitted that option is kept open while filing charge-sheet for filing supplementary charge-sheet against bank officials.

6) Keeping the window open for filing supplementary charge-sheet based on further investigation, against bank officials does not ameliorate case of present petitioner taking note of representation preferred before the police authorities alleging act of forgery. Certain allegations were made against attorney/ advocate of bank but there is no specific allegation against any particular bank official. However, this submission made by petitioner is in respect of prayer made in writ petition but that will not foreclose further investigation which

can be carried out by investigating agency for the purpose of filing supplementary charge-sheet.

7) Keeping in view the prayer made in this writ petition, no further order need be passed on this writ petition.

8) Writ petition stands disposed of.

9) Parties to act on server copy of this order duly downloaded from the official website of this Court.

(Saugata Bhattacharyya, J.)