

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
(Appellate Side)

W.P.A. 4961 OF 2026
With
CAN 2 OF 2026

SRI SHYAMAL SAHA AND ANOTHER
VS
THE STATE OF WEST BENGAL AND OTHERS
.....

Mr. Sabir Ahmed, Adv.
Mr. Akash Ganguly, Adv.
Mr. Amaan Deep Gupta, Adv.
Mr. Shreshtodilya Chakraborty, Adv.
...for the Petitioners

Mr. Jagabandhu Roy, Adv.
Mrs. Subhasree Patel, Adv.
Mr. Sk. Abu Jafor, Adv.
...for the State

Mr. Arkaprava Sen, Adv.
Mr. Sayantan Kar, Adv.
Ms. Deboleena Mukherjee, Adv.
...for the Respondent No.7

1. Matter is heard in presence of the learned advocates representing the petitioners, State respondents and respondent no.7.
2. In terms of the order dated 11th March, 2026, a report dated 30th March, 2026 of Officer-in-Charge, Muchipara Police Station, Kolkata is furnished today by the learned advocate representing the State respondents and same is taken on record. Copy of the said report dated 30th March, 2026 is made over to the learned advocates representing the petitioners and respondent no.7.
3. On perusal of the report dated 30th March, 2026, it appears that concerning the allegation of forging

Power of Attorney relating to a premises situated at 16/3B, Dixon Lane, Muchipara, Kolkata – 700014, the owner of the said premises being respondent no.7 lodged a complaint with the concerned police station which gave rise to initiation of criminal prosecution being Muchipara P.S. Case No.172 of 2023.

4. It further appears from the report dated 30th March, 2026 that prime accused in the aforesaid criminal prosecution being Muchipara P.S. Case No.172 of 2023 is one Subhabrata Biswas. Said Subhabrata Biswas moved a pre-arrest bail application which was rejected by a Co-ordinate Bench on 13th January, 2026 and thereafter on 17th January, 2026 said Subhabrata Biswas was arrested.
5. Based on lead statements notice dated 21st January, 2026 was issued to the petitioner no.1 under Section 160 Cr.P.C. and petitioner complied with the aforesaid notice by appearing on 22nd January, 2026.
6. Therefore, allegation made in the present writ petition that the petitioners were unnecessarily taken to Muchipara Police Station on 22nd January, 2026 is negated.
7. It is also submitted on behalf of the respondent no.7 that after order passed by the jurisdictional Magistrate in terms of Section 156 (3) of Cr.P.C. steps were taken by the concerned police authorities and FIR was registered and now investigation is going on.

It is also alleged that petitioners purchased portion of the aforesaid premises at a lower price than prevailing market rate since prime accused forging Power of Attorney sold the property to the petitioners.

8. In view of facts disclosed in the report dated 30th March, 2026 filed today and taking note of the submissions made on behalf of the parties, Court is not inclined to mandate as prayed for.
9. However, concerned police authorities are directed to take the investigation to its logical conclusion at an early date.
10. In the event occasion arises, petitioners shall be at liberty to approach the jurisdictional Magistrate, in accordance with law.
11. With the aforesaid observations and directions writ petition stands disposed of. Application, if any, also stands disposed of.
12. Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(SAUGATA BHATTACHARYYA, J.)