

DL 07.04.2026
12
susanta Ct.05

W.P.A. 5900 of 2026

Mr. Arindam Mitra

-vs-

The State of West Bengal & Ors.

Mr. Sandip Kumar Bhattacharya,
Mr. Dipta Dipak Banerjee,
Mr. Ishaan Aditya,
Ms. Srilekha Dhar,
Ms. Srijita Dhar,

....for the petitioner.

Mr. Swapan Banerjee,
Mr. Diptendu Narayan Banerjee,

....for the State.

Mr. Shounak Mukhapadhyay,
Mr. Samrat Mukherji,
Mr. Rik Mukherji,

....for the respondent no.6.

1. Affidavit-of-service filed on behalf of the petitioner is taken on record.
2. Mr. Sandip Kumar Bhattacharya, learned advocate representing the petitioner on virtual mode has expressed dissatisfaction with regard to the progress made in the investigation in connection with Amherst Street Police Station Case no. 50 dated 5th May, 2025 under Section 336(2)/336(3) of the Bharatiya Nyaya Sanhita, 2023 (hereinafter referred to as "BNS 2023").
3. It is submitted that in spite of filing a complaint before the concerned police authority alleging forging of signature of the petitioner in the partnership deed no steps were taken, which prompted the petitioner to approach the

jurisdictional Magistrate under Section 175(3) of Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as “BNSS, 2023) for registering FIR.

4. Ultimately, in terms of the order passed by the jurisdictional Magistrate a criminal prosecution being Amherst Street Police Station Case no. 50 dated 5th May, 2025 was initiated but subsequently there was no considerable progress made in the said investigation.
5. Private respondent is represented by learned advocate who disputes the submission made on behalf of the petitioner to the extent of forgery of signature in order to execute a partnership deed.
6. State respondents are represented by learned advocate who has submitted communication dated 18th March, 2026 of Additional Officer-In-Charge, Amherst Street Police Station, Kolkata which is taken on record; copy of the communication dated 18th March, 2026 is made over to the learned advocate representing the petitioner and private respondent.
7. It is disclosed in the said communication dated 18th March, 2026 that after registering FIR in connection with Amherst Street Police Station Case no. 50 dated 5th May, 2025, Investigating Officer

served notice under Section 179 of BNSS, 2023 to the petitioner and recorded his statement, notice under Section 94 of BNSS, 2023 was served to the petitioner for submitting relevant documents as well as original partnership deed of DC Agro Project which was executed by the petitioner and the private respondent.

8. Since the petitioner did not provide original deed till date notice under Section 179 of BNSS, 2023 was served upon other partners of the relevant partnership deed.
9. However, submission made on behalf of the private respondent needs to be recorded that no notice under Section 179 of BNSS, 2023 was served upon the private respondent.
10. Notice under Section 94 of BNSS, 2023 was also served upon the Registrar of Firms, West Bengal to obtain original partnership deed.
11. It is submitted on behalf of the State respondents that soon report shall be filed in connection with Amherst Street Police Station Case no. 50 dated 5th May, 2025.
12. In view of the submissions made on behalf of the parties and taking note of the contents of communication dated 18th March, 2026, concerned police authorities are directed to expedite the

investigation and take the same to its logical conclusion by submitting report before the jurisdictional Magistrate at an early date.

13. Writ petition stands disposed of granting liberty to the petitioner to approach jurisdictional Magistrate if, occasion so arises.
14. Urgent photostat certified copy of this order, if applied for, be given to the learned Advocates for the parties on the usual undertakings.

(Saugata Bhattacharyya, J.)