

23.03.2026
10 Court No. 05
(DL) (Suwendu Mukherjee)

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
(APPELLATE SIDE)

WPA 5670 of 2026

Rajes Molla
-Versus -
The State of West Bengal & Ors.

Mr. Debapriya Majumder
....for the petitioner

Md. Manuwar Ali
Mr. Debabrata Mondal
....for the State respondents

- 1) Affidavit of service filed on behalf of the petitioner is taken on record.
- 2) It is contended on behalf of the petitioner that one JCB was let out on rent to one of the private respondents but after utilizing said JCB neither rent was paid nor the JCB was returned to the petitioner which prompted the petitioner to lodge complaint with the concerned Police Station.
- 3) Petitioner alleged that a complaint was lodged on 13th April, 2025 before the Officer-in-Charge of Dum Dum Police Station, Barrackpore Police Commissionerate. Prayer is made for directing the

concerned police authority to take steps which would ensure return of JCB to the petitioner.

4) However, learned advocate representing the State respondents has filed one communication dated 13th March, 2026 of Inspector of Police, O.C, Dum Dum Police Station and same is taken on record.

5) On perusal of said communication dated 13th March, 2026, it appears that based on complaint lodged by the petitioner before the concerned police authority criminal prosecution being Dum Dum Police Station Case No. 115/2025 dated 13th April, 2025 was initiated under certain provisions of Bharatiya Nyaya Sanhita, 2023. However, on enquiry it was found that facts are not corroborated and complainant failed to establish ownership of said JCB. Consequently Investigating Officer submitted final report of the case vide Dum Dum PS FRMS No. 233/2025 and thereafter accused persons were released.

6) In view of the facts stated in the communication dated 13th March, 2026 of the concerned police authority, it does not appear that the police authority did not take steps.

7) Furthermore, final report was submitted in connection with the case initiated against the private respondents. If petitioner has grievance relating to final report submitted by the Investigating Officer, he has to take steps in accordance with law.

8) Hence, writ petition stands disposed of.

9) There shall be no order as to costs.

10) Urgent photostat certified copy of this order, if applied for, be given to the parties on usual undertaking.

(Saugata Bhattacharyya, J.)