

In The High Court at Calcutta
CONSTITUTIONAL WRIT JURISDICTION
(Appellate Side)

W.P.A. 6491 OF 2026

MR. USHNISH DAS
VS.
THE STATE OF WEST BENGAL AND OTHERS

.....

Mr. Rohan Chamria, Adv.

... For the Petitioner

Mr. Suryaneel Das, AGP

Ms. Anita Kundu, Adv.

Ms. Sumita Sarkar, Adv.

...for the State

1. Affidavit-of-service filed on behalf of the petitioner is taken on record.
2. Matter is heard in presence of the learned advocates representing the petitioner and the State respondents.
3. However, other respondents are not represented.
4. It is submitted by the learned advocate representing the petitioner that fraudulently a loan was procured from Axis Bank Ltd. by the accused person in the name of the petitioner by misusing petitioner's testimonials which were stolen from the petitioner.
5. Petitioner prays for direction upon the Bank authority not to take steps against the petitioner.
6. Mr. Suryaneel Das, learned Additional Government Pleader representing the State respondents has filed a report dated 15th June, 2026 of Officer-in-Charge, Cyber Crime Police Station, Howrah Police Commissionerate. Copy of the said report dated 15th June, 2026 is made over to the learned advocate representing the petitioner.
7. It is disclosed in the report dated 15th June, 2026 that based on the complaint of the petitioner, a criminal prosecution being Cyber Crime P.S. Case No.52 of 2025 dated 6th November, 2025 was registered under certain

provisions of BNS, 2023. It is further disclosed in the report that in course of investigation, accused person was arrested and certain steps were taken.

8. Therefore, at this stage no further order is required to be passed upon the concerned police authority save and except directing the Investigating Officer to take the investigation to its logical conclusion at an early date and submit report before the jurisdictional Magistrate.
9. However, this is not an appropriate forum to pray for relief in connection with loan which is alleged to have been procured fraudulently in the name of the petitioner from Axis Bank Ltd. by the accused person.
10. Right of the petitioner to get relief in connection with the loan fraudulently obtained is not delved into considering my present determination.
11. However, this order shall not preclude the petitioner to approach the appropriate forum in pursuit of remedy.
12. Writ petition stands disposed of.
13. Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(SAUGATA BHATTACHARYYA, J.)