

In The High Court at Calcutta

CONSTITUTIONAL WRIT JURISDICTION

(Appellate Side)

W.P.A. 9411 OF 2026

CHANCHAL BISWAS

VS.

THE STATE OF WEST BENGAL AND OTHERS

.....

Ms. Papiya Chattopadhyay, Adv.

... For the Petitioner

Ms. Anita Kundu, Adv.

Ms. Sumita Sarkar, Adv.

...For the State

1. Affidavits-of-service filed on behalf of the petitioner are taken on record.
2. Matter is heard in presence of the learned advocates representing the petitioner and the State respondents.
3. It is submitted on behalf of the petitioner that though alleging theft a complaint was lodged on 21st November, 2025 with the concerned police authority but till date theft items could not be recovered. Petitioner prays for direction upon the concerned police authority to take steps thereby returning the theft items to the petitioner and also to take effective steps in investigating the case.
4. Learned advocate representing the State respondents has filed a communication of Officer-in-Charge, Taherpur Police Station, Nadia and same is taken on record. Copy of the said communication is handed over to the learned advocate representing the petitioner.
5. It is disclosed in the said communication that one of the accused, namely, Samir Mondal was arrested in connection with the criminal prosecution being Taherpur P.S. Case No.502 of 2025 dated 21st November, 2025, which was initiated under certain provisions of BNS, 2023 but no recovery could be made from him. Certain steps are also taken by issuing notices to other persons for carrying out investigations.

6. Concerned police authority is directed to take necessary steps in accordance with law for taking the criminal prosecution being Taherpur P.S. Case No.502 of 2025 dated 21st November, 2025 to its logical conclusion by submitting a report before the jurisdictional Magistrate.
7. Steps shall also be taken by the concerned police authority for recovery of theft items.
8. Writ petition stands disposed of.
9. However, this order shall not preclude the petitioner to approach the jurisdictional Magistrate, if occasion so arises.
10. Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(SAUGATA BHATTACHARYYA, J.)