

05
07.01.2026
Ct. No.5
b.das

WPA 24878 of 2025

Sudam Lal Dutt
Vs.
The State of W. B. & Ors.

Mr. Aniruddha Bhattacharyya
Ms. Anushka Bose
Ms. Rai Das ...for the petitioner.

Mr. Suman Sengupta
Mr. Sambuddha Dutta ...for the State.

Mr. Samrat Choudhury
Mr. Ronit Naskar
...for the private respondents.

Affidavit of service filed by the petitioner is taken on record.

Heard learned counsels for the parties.

The petitioner alleges misappropriation of money and jewellery by the private respondents who are his daughter and son in law respectively.

Learned counsel for the petitioner submits that after demise of his wife the private respondents persuaded the petitioner to include them in the two bank accounts held by him. The petitioner subsequently learnt that two fixed deposits were prematurely encashed by the private respondents. The 6th private respondent also misappropriated jewellery belonging to the petitioner's wife upon practising fraud on the petitioner.

The petitioner lodged complaint in this regard before the police authority and investigation was initiated. In the present application, the petitioner has sought conclusion of investigation and filing of charge sheet.

This Court is informed that during pendency of the writ petition, charge sheet has been submitted upon completion of investigation.

The petitioner is aggrieved by the same in view of the fact that only the 6th respondent has been sent up for trial and the 7th respondent has been discharged while the alleged offence has been committed by both of them in tandem.

The petitioner seeks to file Narazi application before the learned Magistrate challenging the investigation as well as the charge sheet.

Learned counsel for the private respondents denies and disputes the allegations made by the petitioner.

Upon consideration of the submission made on behalf of the parties, this Court is of the view that since charge sheet has been submitted, the petitioner is at liberty to file Narazi application before the jurisdictional Magistrate for redressal of his grievance. In the event such application is filed, the learned Magistrate shall deal with the application at the earliest before proceeding with the case any further.

The writ petition is disposed of accordingly.

There shall, however, be no order as to costs.

Since no affidavit is invited, the allegations contained in the writ petition are deemed not to have been admitted.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)