

**IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
(APPELLATE SIDE)**

Present:

The Hon'ble Justice Md. Shabbar Rashidi.

CRR 5073 of 2025

Deb Kumar Dey

Vs.

The State of West Bengal & Ors.

For the petitioner : Ms. A. Das,
Ms. Rita Patra.

Judgment on : **14/01/2026**

Md. Shabbar Rashidi, J.:-

1. The instant revisional application is filed challenging an order dated April, 28, 2025 passed in G.R. Case No.6074 of 2019. By the impugned order the learned jurisdictional Court accepted the final report submitted by the police in connection with such G.R. case.
2. It transpires that the complaint was lodged by the petitioner which was registered as Das Nagar Police Station Case NO.205 of 2019 dated December 31, 2019. The case was investigated by the police and upon conclusion of such investigation, the police authority submitted final report. The protest petitioner preferred against such report, upon hearing the parties, the learned jurisdictional Court directed fresh investigation. Such fresh

investigation also ended in a final report by the police for the second time.

3. Being aggrieved, the petitioner has come up before this Court. On perusal of the materials it transpires that there was an allegation by the petitioner that disputed land was sold to her in the year 1986. The petitioner has been possessing the disputed land after such purchase. The private opposite party again sold out the self-same land to some other person which according to the petitioner was an act of cheating and forgery. On such facts, the petitioner lodged a written complaint which was registered as First Information Report.
4. However, upon investigation police submitted final report twice on the ground that the matters involved in the case were purely civil disputes. The impugned order also noted that civil suit was pending over the disputed property. In its detailed order, the learned jurisdictional Court considered the materials of the case diary, noted the statements recorded under Section 161 of the Code of Criminal Procedure. The learned jurisdictional Court also noted in the impugned order to the following:

“During further course of investigation of this case as per statement of witnesses and available documents it came to light that there is an undivided land of the complainant family having J.L No- 103, Mouza- Ichapur, Dag No- 933, L.R Khatian No- 1463/1 & 3848/1 under PS-Dasnagar, Howrah (Near Joydeb Bhawan, Shanpur, Dasnagar, Howrah) measuring of land is 02

katha 11 chatak 38 Sq.ft. Complainant Deb Kumar Dey and his two brothers Romesh Kumar Dey & Raj Kumar Dey is the owner of 01 katha 06 chatak 10 Sq.ft out of total land and Chand Kumar Dey & Sanat Kumar Dey are owner of 01 katha 05 chatak 28 Sq.ft of land. Complainant stated that in the year of 1986 he purchased the Chand Kumar Dey's share but nobody knows about this matter. On the other hand in the year of 2019 one Provas Saha purchased the Chand Kumar Dey's share. The alleged Chanchal kumar Dey, Chandana Dey & Provash Saha are not aware that in the year of 1986 Chand Kumar Dey sold his share of property to Deb Kumar Dey. But they know that Chand Kumar Dey sold his share of property to Provas Saha. And at the time of registry Chanchal Kumar Dey, Chandana Dey & Madhumita Dey were present there. They also stated that they did not know anything about the civil case.”

5. By filing a supplementary affidavit the learned Advocate for the petitioner has relied upon the deed in respect of the disputed property executed in his favour. It is submitted that such document was not taken into consideration at the time of investigation of the case.
6. As noted above, the dispute pertains to the landed properties which are purely civil in nature. The civil suit is pending in respect of the disputed property. As such I find no reason to interfere with the impugned order.

7. Accordingly CRR 5073 of 2025 is dismissed.
8. All parties shall act on the server copy of this judgment duly downloaded from the official website of this Court.

(MD. SHABBAR RASHIDI, J.)