

Complaint case 18 of 2024

Order dated 25.11.2024

Today is fixed for further SA.

Complainant has filed hazira.

Witness Subir Kumar Pal is examined U/S 200 Cr.P.C and discharged.

Hd. Ld. Advocate of the complainant.

Perused the statement of complainant and the witnesses U/S 200 Cr.P.C and other materials on record.

The complainant on solemn affirmation has only said that “ I have filed this complaint against Indira Paul. She is my brother’s wife. The accused person has sent a letter to me and I received the same on 23.08.2023 and she is accusing that we have dishonestly making illegal profit out of my brother’s money. My brother had died on 15.11.2020. The accused person had no good relation with my brother and she left my brother and she used to stay at Bardhaman and we also did not have any relationship with her. Some other persons were also with me when I received this letter. I cannot read and write in English. My brother Subir Kumar Pal read it out and explained it to me. Thereafter I went to my lawyer to take suggestion. I have filed this case as this letter caused disrespect to me in the locality. I did not go to the local PS to file any complaint against the accused persons. ”

Witness Subir Kumar Paul has stated that “I have come to the court for deposing on behalf of my brother Rabindranath Pal. My brother has filed this case against Indira Pal. Prabir Pal is my brother and Indira Pal is the wife of Prabir Pal. There was a dispute between Indira Pal and Pradip Pal and because of that Indira Pal left the house. Prabir Pal died on 15.11.2020. Indira came to our house after death of my brother and after all the rituals I handed over all the necessary documents (adhar, PAN Card of my late brother namely Prabir Pal) some money to Indira Pal. Suddenly, we received a letter from Indira Pal accusing us that we have used the PAN card of my late brother namely, Prabir Pal for business related purpose and taken the money belonged to my late brother. The letter caused us a lot of lose of reputation in the local area and also caused us mental agony. We did not file any police complaint and came before this court seeking relief”.

Therefore, with these materials, this court is not prima facie satisfied regarding the case that the complainant has made out and regarding the issue of process against the accused person.

At this stage, this court is of the opinion that an enquiry is very much necessary to ascertain that whether there is sufficient ground for proceeding against the accused person for the alleged offence or not.

The Domjur PS is directed to conduct a thorough inquiry on the points aforesaid and to submit an enquiry report by the next date.

Send a copy of this order along with a copy of the petition of complaint as well as the filed documents to the Domjur PS for his information and taking necessary action.

BC-II is directed to send the copy of this order for compliance.

Fix 13.03.2025 for report by the Domjur PS.

Dictated and correct by me

(Disha Barai)

Judicial Magistrate,
1st Court, Howrah

(JO Code WB01420)
Judicial Magistrate,
1st Court, Howrah