

December 16, 2025

(3) ARDR

WPA 11212 of 2025

Subhajit Pal

Vs.

The State of West Bengal & ors.

Adv. Moyukh Mukherjee,
Adv. Abhijit Singh,
Adv. Sarmistha Basak,

... for the petitioner.

Adv. Debashis Saha,
Adv. Sanjoy Ghosh,
Adv. Aviroop Roy Sanyal,

..for the SBI.

Adv. Sirsanya Bandopadhyay,
Adv. Akash Dutta,

...for the State.

Affidavit used by the State Bank of India is taken on record.

The petitioner seeks transfer of the investigation to the Cyber Cell, Barrackpore Commissionerate primarily on the ground that the Cyber Cell is more equipped to deal with cyber frauds and there has not been much progress in investigation of the case.

Learned counsel for the State submits that the police lodged the FIR on the date the complaint was lodged and investigation is in progress.

It appears from the affidavit submitted by the bank that despite an order passed by the learned Additional Chief Judicial Magistrate, Barrackpore directing transfer of an amount of Rs.1,00,016.8 and Rs.40,000/- from the State Bank of India account to the petitioner's AXIS Bank account subject to furnishing zimmanama bond, the bank was unable to comply with the order since there was no

money in the said account. The entire amount lying with the said account has been transferred to various cyber fraud victims in compliance with the orders passed by different Courts.

The report submitted by the State does not demonstrate the steps taken by the Investigating officer to trace the trail of such defrauded amount.

Learned counsel for the State is requested to submit a comprehensive report on the adjourned date indicating the progress in investigation as well as steps taken by the investigating agency for tracking down the lost amount.

Let the matter appear under the same heading on 15th January, 2026.

(Suvra Ghosh, J.)