

07.04.2026
Ct. No.33
Sl. No.45 to 48
cm

FMA 1096 of 2024

Magma HDI General Insurance Co. Ltd.
Vs.
Anjan Ghosh & Anr.
With
COT 14 of 2025
Anjan Ghosh
Vs.
Magma HDI General Insurance Co. Ltd. & Anr.

With
FMA 1471 of 2024
Magma HDI General Insurance Co. Ltd.
Vs.
Anjan Ghosh & Anr.
With
COT 15 of 2025
Anjan Ghosh
Vs.
Magma HDI General Insurance Co. Ltd.& Anr.

Mr. Rajesh Singh
... for the appellant/insurance co.
Mr. Amit Ranjan Roy
... for the respondent No.1/claimant

1. The instant case concerns the involvement of two vehicles bearing registration No. WB 45/1714 and WB 53B/1656 being two distinct Dumpers. The charge-sheet was filed by the Investigating Officer mentioned WB 53B/1656 to have been belatedly implicated in place of the earlier reference to the offending vehicle being WB 45/174 stated in the charge-sheet that the statements recorded under Section 161 of the Cr. P.C. propelled the Investigating Officer to implicate WB 53B/1656 in place of WB 45/1714 as had been mentioned in the written statement. The evidence of P.W.2 narrated the lodging of a second complaint

indicating the registration number of the subsequent Dumper being WB53B/1656 instead of the earlier Dumper to have been mentioned to be involved in the accident being No. WB 45/1714.

2. Considering the facts and circumstances of the case, it is imminent that the case diary pertaining to Ketugram Police Station Case No. 64/16 dated 29.02.2016 be assessed in its entirety as to whether the second complaint had been subsequently lodged to corroborate the evidence of P.W.2 as well as to seek reliance upon the statements recorded under Section 161 of the Cr.P.C. embarked upon by the Investigating Officer to implicate WB 53B/1656.
3. The learned advocate Mr. Avisekh Sinha, who generally represents the State is requested to place a copy of the case diary pertaining to Ketugram Police Station Case No. 64/16 dated 29.02.2016 on the next date of hearing.
4. The learned advocates representing the respective parties are to serve copy of the charge-sheet on record for the assistance of the learned advocate representing the State.
5. Next date be fixed on 14th May, 2026.

(Ananya Bandyopadhyay, J.)