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20.07.2026
Ct. No. 05
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WPA 9419 of 2026

Nadera Begum
Vs.
The State of West Bengal & Ors.

Mr. Abu Safder
Ms. Amatun Nur

...for the petitioner

Mr. Suryaneel Das
Ms. Anita Kundu
Ms. Sumita Sarkar

...for the State

1. It appears that petitioner is dissatisfied with the steps taken by the concerned police authorities in investigating Harischandrapur Police Station Case No. 985/2025 dated 11th September, 2025. In this regard in terms of previous order dated 17th June, 2026 a communication dated 14th July, 2026 of Inspector-in-Charge, Harischandrapur Police Station, Malda is filed and same is taken on record. Copy of the said communication dated 14th July, 2026 is made over to the learned advocate representing petitioner.
2. If petitioner is dissatisfied with regard to the steps taken by the concerned police authority after registering FIR in that event petitioner needs to approach jurisdictional Magistrate

under Section 175(3) BNSS 2023 as it was decided by the Hon'ble Supreme Court reported in **2026 SCC OnLine SC 798 (Sujal Vishwas Attavar and Anr. Vs. State of Maharashtra and Ors.)**. In paragraph 7 of **Sujal Vishwas Attavar** (supra) it was succinctly decided that after registration of FIR if investigation is not being properly conducted in that event remedy does not ordinarily lie in invoking writ jurisdiction in the first instance, parties have to take recourse to the statutory framework.

3. Hence, present writ petition is not interfered with and same stands dismissed.
4. However, this order shall not preclude the petitioner to approach jurisdictional Magistrate in pursuit of remedy.
5. Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)