

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
(APPELLATE SIDE)

W.P.A. NO 12474 OF 2026

Sohaib Ashraf

-vs-

The State of West Bengal & Ors.

Mr. Munshi Ashiq Elahi,
Ms. Madhurima Sarkar,

....for the petitioner.

Mr. Sourjya Roy

....for the respondent nos.5 & 6.

Ms. Suryaneel Das,
Ms. Anita Kundu,
Mr. Bhaskar Bhattacharyya

....for the State.

1. On hearing learned advocate representing petitioner, it appears that petitioner is aggrieved due to inaction on the part of the concerned police authorities in registering FIR based on complaint lodged. Prayer is made for issuance of warrant of arrest against the persons involved.
2. State respondents are represented by Mr. Das, learned Additional Government Pleader.
3. There is an alternative remedy available to the petitioner under Section 175(3) of BNSS, 2023 by approaching jurisdictional Magistrate.
4. In this regard, reliance is placed on the judgment of the Hon'ble Supreme Court reported in **2026 SCC Online SC 798 (Sujal Vishwas Attavar & Anr. v. State of Maharashtra & Ors.)**
5. In view of availability of alternative remedy to the

petitioner, present writ petition is not entertained and same stands dismissed.

6. However, this order shall not preclude the petitioner to approach jurisdictional Magistrate in pursuit of remedy.
7. Parties to act on the server copy of this order duly downloaded from the official website of this Court.

(Saugata Bhattacharyya, J.)