

**23.04.2021**

**WPA 11640 of 2020**

Court No. 02  
Item No. SL - 26  
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(DISPOSED OF)

Joynur Bewa

Vs.

The State of West Bengal & Ors.

**Mr. Satyajit Mondal, Advocate**

**Mr. Srikumar Mondal, Advocate**

**Mr. Ratul Ghosh, Advocate**

.....for the Petitioner

The petitioner has lodged a complaint against the private respondent nos. 6 & 7 who are her son and daughter-in-law respectively. The petitioner alleges that in spite of lodging a specific complaint disclosing cognizable offence no steps have been taken by the police.

In the event, the police refuse to register a case and investigate into the alleged offences following the complaint lodged before them, an aggrieved party can approach the concerned jurisdictional magistrate under Section 200 or Section 156 of the Code of Criminal Procedure. The writ-petition in such cases is not maintainable (see ***Gangadhar Janardan Mhatre Vs. State of Maharashtra (2004) 7 SCC 768***).

In view of the above, this writ-petition is disposed of giving opportunity to the petitioner to approach the concerned jurisdictional magistrate, if she is so advised.

With these observations, the writ-petition being **WPA 11640 of 2020** is disposed of.

**(Kausik Chanda, J.)**

