

03.01.2022
Court No.13
Item No.18
AP

WPA 20512 of 2021

**Buddhadeb Sen
Vs.
The State of West Bengal and Ors.**

(Through Video Conference)

Mr. Rama Prasad Sarkar

... For the Petitioner.

Ms. Chama Mukherjee

Mr. Siraj Gooptu

... For the State.

Affidavit of service filed in Court today be kept with the record.

The writ petitioner is aggrieved by the fact that the FIR has not been registered in respect of a complaint dated 6th December 2021 lodged with the Domjur Police Station.

Learned counsel for the State submits that the writ petitioner has not followed the procedure prescribed in law.

This Court notes that the complaint dated 6th December 2021 has been addressed to the Domjur Police Station. However, in terms of the law laid down by the Supreme Court, the writ petitioner ought to have complained to the Commissioner of Police and subsequently move an application under Section 156 of the Code of Criminal Procedure, in respect of the inaction on his FIR.

Be that as it may, the Officer-in-Charge, Domjur Police Station may register formal FIR, if not already done, and commence investigation into the complaint of the writ petitioner.

With the aforesaid observations, the writ petition is disposed of.

There shall be no order as to costs.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)