

08.05.2023.
Court No.13
Item No. 5
ap

W.P.A. No. 26024 of 2022
Sudip Mukherjee
Versus
The State of West Bengal & Ors.

Mr. Sabir Ahmed,
Mr. Biswajit Sarkar,
Mr. Shraman Sarkar,
Mr. Dhiman Banerjee,
Mr. Soham Chakraborty.

...For the petitioner.

Mr. Santanu Kumar Mitra,
Mr. Sudip Sarkar.

...For the State.

Mr. Shuvasish Sengupta,
Mr. Abhrajit Roy Choudhury.

...For the respondent nos.5 to 11.

1. Affidavit-of-service filed in Court today be taken on record.
2. The petitioner is aggrieved by the alleged inaction on the part of New Town Police Station. He had complained about a missing dog.
3. According to the police, on the direction of the learned Magistrate, enquiry was undertaken and a report has been submitted which has been accepted by that no cognizable offence has been made out.
4. The petitioner is aggrieved by such report as also a further complaint against the private respondents, the petitioner alleges that the private respondents may have slaughtered the dog in his slaughtering house.
5. Counsel for the respondent nos.5 to 11 vehemently opposes the aforesaid allegations of the petitioner against his clients.

6. This Court is of the view that since the petitioner has effective alternative remedy, inter alia, under Section 173(8) of the Code of Criminal Procedure against the final report of the Magistrate or the alleged inaction of New Town Police Station in respect of a second complaint, he may avail such remedy in accordance with law.

7. With the aforesaid directions, the instant writ petition shall stand disposed of.

8. There will be no order as to costs.

9. All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)