

27.06.2023
Court No.13
Item No.264
AP

WPA 26516 of 2022

Hasem Ali Laskar
Vs.
The State of West Bengal & Ors.

Mr. Ziaul Haque
Mr. Manish Kumar Das

... For the Petitioner.

Mr. Ansar Mondal

... For the State.

1. The petitioner complains that Usthi Police has refused to register FIR in respect of his complain dated 22nd September, 2022.

2. Learned counsel for the State has produced a report in the form of instructions dated 12th June, 2023 issued by the Officer-in-Charge, Usthi Police Station addressed to the learned Government Pleader and the same is taken on record.

3. It appears from the report that Usthi Police have considered the petitioner's complaint and taken out proceedings under sections 107 and 116 of the CrPC.

4. In view of the above, this Court is of the view that the disputes between the petitioner and the private respondents are primarily civil in nature. However, in respect of any inaction on the part of the Usthi Police to register FIR, the petitioner has an alternative remedy under section 156(3) of the CrPC. He may avail the same in accordance with law.

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

6. There shall be no order as to costs.

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

(Rajasekhar Mantha, J.)