

29.11.2023
Sl. No.41
pkd

IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri
[Appellate Jurisdiction]

MAT 64 of 2023
IA NO:CAN/1/2023

LACHMAN MAHATO
-VS-
THE STATE OF WEST BENGAL AND ORS

Ms. Mantan Chakraborty ...for appellant.

Mr. Subir Kumar Saha
Mr. Momenur Rahman ...for State.

The appeal is directed against an order dated April 11, 2023 passed by the learned single Judge in WPA 847 of 2023.

Learned single Judge dismissed the writ petition on the ground of availability of statutory alternative remedy to the writ petitioner.

The writ petitioner complained before the writ court that, the police were not registering First Information Report [FIR] despite complaints disclosing a cognizable offence being made to them.

Learned advocate appearing for the State submits that a First Information Report bearing no.324 of 2023 dated May 9, 2023 of Malbazar Police Station under sections 341/323/354/188/506/34 was registered.

Such FIR was in respect of the complaint dated May 9, 2023 lodged by the petitioner.

Since the police registered a police complaint at the behest of the petitioner on May 9, 2023 and since there are

previous complaints, which forms the subject matter of the writ petition, it would be appropriate that, the police looks into such complaints as a part of the investigation of the subject FIR dated May 9, 2023 also.

The impugned order under appeal is modified to that extent.

MAT 64 of 2023 along with IA NO:CAN/1/2023 are disposed of accordingly without any order as to costs.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)