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23.09.2024
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IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

W.P.A. No. 20739 of 2024

Mundrika @ Mandira Shaw
Vs.
State of West Bengal & Ors.

Mr. Sujoy Chakraborty,
Ms. Shashawati Bhattacharjee
...for the petitioner

Mr. Vimal Kumr Shahi,
Ms. Pratiti Das
...for the State

The petitioner has lodged a complaint before the Inspector-in-Charge, Serampore Police Station, District-Hooghly on July 10, 2024.

The allegation of the petitioner is that no steps have been taken on the basis of the said complaint.

The learned Advocate appearing for the State submits that the petitioner is the tenant under the respondent nos. 5, 6 and 7 and a civil suit is pending between the parties.

It appears from the report of the Inspector-in-Charge, Serampore Police Station dated September 02, 2024 that a Title Suit being No. 30 of 2023 is pending before the learned Civil Judge (Junior Division), 2nd Court at Serampore.

Since a complaint has been lodged before the police authorities, the police authorities are duty-

bound to register an F.I.R if the complaint discloses a cognizable offence. If the police authorities decide against registration of F.I.R., the reasons in support thereof are to be communicated to the petitioner within a period of two weeks from the date of receipt of a server copy of this order. If, however, according to the police authorities, the complaint discloses a cognizable offence, an F.I.R. is to be registered forthwith.

With the above directions and observations, the writ petition stands disposed of.

There shall, however, be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be made available to the parties upon compliance of necessary formalities.

(Hiranmay Bhattacharyya, J.)