

D/L 113
02.07.2025
Bpg.
ct.no.35

W.P.A.13278 of 2025

**Jagdish Prasad Bagri
Versus
The State of West Bengal & Ors.**

Mr. Satadru Lahiri
Mr. Safdar Azam.
...for the petitioner.

Mr. Suman Sengupta
Mr. Dwaipayan Basu Mallick.
...for the State-respondents.

Affidavit-of-service filed by the petitioner be kept with the record.

Learned advocate appearing for the petitioner has filed a representation with the police authorities including the superior officer of police.

Since the provision of Section 173 of the BNSS provides that if a superior officer of police do not act upon the information furnished where a cognizable offence is made out, the remedy available is before the learned Magistrate under Section 175 of the BNSS.

Having considered that an alternative remedy is available, petitioner would, if so advised, approach the jurisdictional Magistrate. Learned Magistrate would assess, ascertain and thereafter pass necessary orders as he deems fit and proper.

Learned advocate for the State is present and submits that the police authorities have acted in consonance with the provisions of law.

With the aforesaid observations, WPA 13278 of 2025 is disposed of.

There will 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.

Urgent photostat certified copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Tirthankar Ghosh, J.)