

WPA 5181 of 2026

**Mr. Sudipta Banerjee @ Indra & Anr.
Vs.
The State of West Bengal & Ors.**

Mr. Sourov Mondal
Mr. Manish Debnath
Mr. Arijit Bhuiya
Mr. Rony Mondal
...for the petitioner

Mr. Sombuddha Dutta
Mr. Abhishek Chakraborty
...for the State

1. Matter is heard in presence of the learned advocates representing the petitioner and State respondents.
2. Learned advocate representing petitioner submits that even after filing of supplementary charge sheet and taking cognizance of offence by the jurisdictional Magistrate petitioner is being unnecessarily harassed by the investigating officer. It is submitted that petitioner was arrested and he was released on bail and thereafter again petitioner is being harassed.
3. Since it is brought to the notice of this Court that after filing of charge sheet cognizance was taken by the jurisdictional Magistrate, present petition which was filed under Article 226 of the Constitution of India is not maintainable.

Petitioner is required to approach appropriate forum under Article 227 of Constitution or under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023.

4. In this regard reliance is placed on the judgment of the Hon'ble Supreme Court reported in **2024 SCC OnLine SC 5761 (Neeta Singh & Ors. Vs. State of Uttar Pradesh & Ors.)**.
5. Hence, no relief can be granted to the petitioner.
6. Writ petition stands dismissed.
7. However, this order shall not preclude the petitioner to take steps in accordance with law, if so advised.
8. Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

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(Saugata Bhattacharyya, J.)