

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
(Appellate Side)

W.P.A. 5408 OF 2026

**TARUN TAPAN OJHA AND ANOTHER
VS.
THE STATE OF WEST BENGAL AND OTHERS**

Mr. Avijit Ganguly, Adv. ...for the Petitioners
Ms. Sanghamitra Nandy, Adv. ...for the State
Mr. Swapna Roy, Adv. ...for the Respondent No.5

1. Affidavit-of-service filed on behalf of the petitioners is taken on record.
2. On behalf of the petitioners it is submitted that due to unauthorized transactions made in connection with the bank account of the petitioners, a complaint was lodged on 4th March, 2026 before the concerned police authorities but steps are not being taken by the police authorities thereby prompting the petitioners to approach this Court with the present writ petition seeking direction upon the police authorities to register FIR.
3. State respondents and respondent no.5 are represented by learned advocates.
4. It appears from the submissions made on behalf of the petitioners that petitioners are aggrieved due to inaction on the part of the police authorities in not registering the FIR based on the complaint lodged by

the petitioners alleging unauthorized monetary transactions.

5. Considering grievance of the petitioners, it transpires that the writ petition, at this stage, is not maintainable and the petitioners are required to approach the jurisdictional Magistrate under Section 175 *vis-à-vis* Sections 210 & 223 of BNSS.
6. In this regard reliance is placed on the judgment of the Hon'ble Supreme Court reported in **(2007) 6 SCC 171 (Aleque Padamsee and others vs. Union of India and others)**.
7. In aforesaid conspectus no relief can be granted to the petitioners.
8. Hence, writ petition stands dismissed.
9. However, this order shall not preclude the petitioners to take steps, in accordance with law, in pursuit of appropriate remedy.
10. Urgent photostat certified copy of the order, if applied for, be given to the parties upon usual undertakings.

(SAUGATA BHATTACHARYYA, J.)