

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

W.P.A. 6202 OF 2026

SRI TUSHAR KANTI GHOSH
VS.
THE STATE OF WEST BENGAL AND OTHERS
.....

Mr. Animesh Paul, Adv. (*Via VC*)
...for the Petitioner

1. From the submissions made by the learned advocate, who appears on virtual mode, representing the petitioner, it appears that grievance of the petitioner is inaction on the part of concerned police authority in not registering FIR based on the complaint lodged by the petitioner.
2. Alternative remedy is available under Section 175 (3) of Bharatiya Nagarik Suraksha Sanhita, 2023 by approaching the jurisdictional Magistrate, in the event, petitioner's complaint is not transformed into FIR. 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)**.
3. Hence, writ petition is not entertained and same stands dismissed.
4. However, this order shall not preclude the petitioner to approach the jurisdictional Magistrate in pursuit of remedy.

5. Urgent photostat certified copy of the order, if applied for, be given to the parties upon usual undertakings.

(SAUGATA BHATTACHARYYA, J.)