

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

W.P.A. 6357 OF 2026

MUKENDAR SK. ALIAS MUKANDAR SK
VS.
THE STATE OF WEST BENGAL AND OTHERS
.....

Ms. Manali Biswas, Adv.
...for the Petitioner
Mr. Tapas Kumar Adhikari, Adv.
Mr. Sabyasachi Bhattacharyya, Adv.
...for the State

1. Affidavit-of-service filed on behalf of the petitioner is taken on record.
2. Learned advocate representing the petitioner submits that on 24th October, 2025 petitioner was physically assaulted as a result whereof he was administered treatment. Thereafter, narrating such incident petitioner lodged a complaint on 10th November, 2025 before the concerned police authorities.
3. It is submitted on behalf of the petitioner that till date concerned police authority has not registered FIR based on the said complaint dated 10th November, 2025.
4. Learned advocate representing the State respondents has filed one communication dated 25th March, 2026 and same is taken on record.
5. On perusal of the said communication dated 25th March, 2026, it appears that on investigation police

authorities found that the incident which was narrated in the complaint of the petitioner dated 10th November, 2025 was not corroborated. It is disclosed that it was a case of minor scuffle between the parties.

6. Moreover, complaint was lodged on 10th November, 2025 in connection with the incident which took place on 24th October, 2025.
7. Furthermore, for registering FIR writ petition is not maintainable. Petitioner is required to approach the jurisdictional Magistrate under Section 175 *vis-à-vis* Section 210 of BNSS. 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)**.
8. Hence, no relief can be granted in this writ petition.
9. Writ petition stands dismissed.
10. However, this order shall not preclude the petitioner to take steps, in accordance with law, by approaching the jurisdictional Magistrate in pursuit of remedy.
11. Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(SAUGATA BHATTACHARYYA, J.)