

12 **15.06.2026**
(DL) Court No. 05
 (Suvendu Mukherjee)

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
(APPELLATE SIDE)

WPA 6968 of 2026

Kousiki Kar
-Versus -

The State of West Bengal & Ors.

Mr. Probal Kumar Mukherjee
Mr. Debanjan Bhattacharjee
Ms. Swarnali Saha

....for the petitioner

Mr. Sandipan Ganguly
Mr. Mayukh Mukherjee
Mr. Namrata Chatterjee

....for the respondent no. 7

Mr. Sourav Chatterjee
Mr. Soumya Nag
Mr. Aditya Tiwari

...for the respondent no. 6

Mr. Suryaneel Das, Ld. AGP
Ms. Suchitra Sinha Chatterjee
Ms. Sumita Sarkar

.....for the State respondents

- 1) Matter is taken up for consideration in presence of learned advocates representing the petitioner, State respondents and respondent nos. 6 and 7.
- 2) Though there are allegations and counter-allegations so far petitioner and respondent nos. 6 and 7 are concerned but it appears that writ petition has been instituted, *inter alia*, praying for registering FIR by the

concerned police authority based on the complaint lodged by the petitioner.

3) In view of availability of alternative remedy under section 175(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023 petitioner can approach the jurisdictional Magistrate, if necessary steps are not taken by the concerned police authority by registering FIR on receipt of complaint from the petitioner. 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 & Others)**.

4) Hence, writ petition is not entertained and same stands dismissed.

5) However, this order shall not preclude the petitioner to approach jurisdictional Magistrate in pursuit of remedy.

6) Since no affidavit is called for, allegations contained in the writ petition are deemed not to have been admitted.

7) Parties to act on the server copy of this order duly downloaded from the official website of this Court.

(Saugata Bhattacharyya, J.)