

Satyacharan Pal & Ors.

-vs-

The State of West Bengal & Ors.

Mr. Samrat Chowdhury,
Ms. Richa Pramanik,
Mr. Arju Sahani

....for the petitioners.

Mr. Vimal Kumar Shahi,
Ms. Sangeeta Roy

....for the State.

Mr. Niladri Sekhar Ghosh,
Ms. Labani Sikder,
Mr. Souvik Dey,
Mr. Subhrajyoti Hazra

....for the private respondents.

1. Affidavit-of-service filed on behalf of the petitioner is taken on record.
2. Document in support of putting in deficit Court fees is also filed which is taken on record.
3. By presenting this writ petition petitioners have prayed for quashing of two criminal prosecutions initiated based on two FIRs one is Goghat PS Case No.142/2026 dated 20th March, 2026 and another is Goghat PS Case No.139/2026 dated 19th March, 2026.
4. Both the aforesaid two FIRs were registered based on the complaint lodged by respondent no.7 being the daughter-in-law of petitioner nos.1& 2.
5. On query being posed to the learned advocate representing the petitioners it is not substantiated that by lodging complaint no cognizable offence

was reported before the concerned police authority. If by lodging complaints police authority finds that there is an allegation of committing cognizable offence in that event it is the duty of the police authority to register FIR and initiate criminal prosecution.

6. In this regard, reliance is placed on the judgment of the Hon'ble Supreme Court, reported in **(2021) 19 SCC 401 (Neeharika Infrastructure Pvt. Ltd. v. State of Maharashtra & Ors.)**.
7. Moreover, learned advocate representing the respondent nos.6 & 7 has submitted that after lodging complaints by respondent no.7 at the first instance, concerned police authority did not register FIR which compelled the complainant to approach jurisdictional Magistrate under Section 175 of BNSS 2023 seeking necessary directions.
8. Orders were passed under Section 175(3) of BNSS and in pursuant thereto two FIRs were registered and criminal prosecutions were initiated.
9. If petitioners are aggrieved by the orders of the jurisdictional Magistrate passed under Section 175(3) in that event they are at liberty to take steps in accordance with law thereby challenging those judicial orders but judicial orders cannot be subject matter of challenge in an application under Article 226 of the Constitution of India.
10. 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. v. State of Uttar Pradesh & Ors.)**.

11. In aforesaid conspectus, no relief can be granted to the petitioners.
12. The writ petition stands dismissed.
13. Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)