

20
27.04.2026
Ct. No. 05
adeb

WPA 7770 of 2026

**Abid Hussain Siddique
Vs.
The State of West Bengal & Ors.**

Mr. Pratep Mukherjee
Mr. Manas Kumar Barman
Mr. Diptomoy Talukder
Mr. Purnankar Biswas
Mr. Triptimoy Talukder
Mr. Dibyendu Ghosh
Mr. Abir Bhattacharya
Mr. Abhiraj Tarafdar
...for the petitioner

Mr. Vivekananda Bose
Ms. Priyamvada Singh
...for the State

Mr. Abhratosh Majumder
Mr. Srijib Chakraborty
Mr. Dipanjan Dutta
Mr. W.A. Dafadar
...for the respondent No. 10 to 17

1. Matter is heard in presence of learned advocates representing petitioner, State respondents and private respondents.
2. Sum and substance of submission made on behalf of petitioner is to register FIR based on the complaint dated 20th November, 2025 lodged by petitioner and initiate criminal proceeding. Such prayer made on behalf of the petitioner is opposed by the learned advocate representing State respondents and respondent nos. 10 to 17.

3. Mr. Majumder, learned senior advocate representing respondent nos. 10 to 17 has submitted that for registering FIR writ petition is not maintainable in view of availability of alternative remedy.
4. Having considered the submissions made on behalf of the parties it appears that prayer is made for registering FIR based on the complaint dated 20th November, 2025.
5. In view of availability of alternative remedy under Section 175(3) of Bharatiya Nagarik Suraksha Sanhita, 2023 writ petition is not entertained and same stands dismissed. In this regard, reliance is placed on the judgment of Hon'ble Supreme court reported in **(2007) 6 SCC 171 (Aleque Padamsee and Others vs. Union of India & Others)**.
6. However, this order shall not preclude the petitioner to approach the jurisdictional Magistrate in pursuit of remedy.
7. Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)