

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

W.P.A. 7845 OF 2026

KOUSIK BANERJEE
VS.
THE STATE OF WEST BENGAL AND OTHERS

.....

Mr. Debasish Sur, Adv.
Mr. Rajib Kumar Acharya, Adv.
...for the Petitioner

Mr. Ansar Mondal, Adv.
Ms. Somashree Dey, Adv.
...for the State

1. Affidavit-of-service filed on behalf of the petitioner is taken on record.
2. Learned advocate representing the petitioner alleges breach of contractual obligation at the instance of the private respondents. A complaint was lodged before the concerned police authority. However, steps have not been taken.
3. Learned advocate representing the State respondents has opposed this writ petition and it is submitted that no cognizable offence is found to have been committed.
4. Having considered the respective submissions made on behalf of the parties, it is found that petitioner can approach jurisdictional Magistrate under Section 175(3) of BNSS, 2023.
5. 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).

6. Hence, present writ petition is not entertained and same stands dismissed.
7. Urgent photostat certified copy of the order, if applied for be given to the parties upon usual undertakings.

(SAUGATA BHATTACHARYYA, J.)