

WPA 8752 of 2026

Sri Manik Das
Vs.
State of West Bengal & Ors.

Mr. Subhrajyoti Dey
Mr. Vaskar Saha
Mr. Sushovon Dey
..... for the petitioner

Mr. Suryaneel Das, learned AGP
Ms. Anita Kundu
..... for the State

1. Matter is heard in presence of the learned advocate representing the petitioner.
2. Considering submission made on behalf of the petitioner and prayer made in the writ petition, it appears that a complaint was lodged by the petitioner before the concerned police authorities and same was not transformed into an F.I.R. prompting petitioner to approach this Court with the writ petition seeking necessary directions upon the concerned police authorities.
3. There is an alternative remedy available to the petitioner under Section 175(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023, by approaching the jurisdictional Magistrate. Reliance is placed on a judgment of the Supreme Court reported in **(2007) 6 SCC 171 (Aleque Padamsee and Ors. vs. Union of India and Ors.)**.

4. Hence, the writ petition is not entertained and the same stands dismissed.
5. However, this order shall not preclude the petitioner to approach the jurisdictional Magistrate in pursuit of remedy.
6. Parties to act on the server copy of this order duly downloaded from the official website of this Court.

(Saugata Bhattacharyya, J.)