

IN THE HIGH COURT AT CALCUTTA

CONSTITUTIONAL WRIT JURISDICTION

(APPELLATE SIDE)

WPA 8954 of 2026

Amal Laskar

-Versus -

State of West Bengal & Ors.

Mr. Soumyadeep Biswas

....for the petitioner

- 1) Affidavit of service filed on behalf of the petitioner is taken on record.
- 2) Matter is taken up for consideration in presence of learned advocate representing the petitioner. However, State respondents are not represented.
- 3) On perusal of the prayer couched in writ petition, it appears that petitioner has prayed for issuance of mandamus directing concerned police authority to register FIR based on the complaint lodged by the petitioner.
- 4) 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)**.
- 5) Hence, writ petition is not entertained and same stands dismissed.
- 6) However, this order shall not preclude the petitioner to approach jurisdictional Magistrate in pursuit of remedy.
- 7) Urgent photostat certified copy of this order, if applied for, be given to the parties on usual undertaking.

(Saugata Bhattacharyya, J.)