

15.06.2026
47 Court No. 05
(DL) (Suvendu Mukherjee)

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
(APPELLATE SIDE)

WPA 10040 of 2026

Hasina Bibi
-Versus -

The State of West Bengal & Ors.

Md. J. Mondal
Mr. Rabi Kr. Sah

....for the petitioner

Mr. Suryaneel Das, Ld. AGP
Ms. Suchitra Sinha Chatterjee
Ms. Sumita Sarkar

.....for the State respondents

Mr. A. Khan
Mr. Pronojit Roy

...for the respondent nos. 5 & 6

- 1) Affidavit of service filed on behalf of the petitioner is taken on record.
- 2) Learned advocate representing the petitioner submits that complaint lodged by the petitioner with the concerned Police Station which is at page 50 of the writ petition is not transformed into FIR. Prayer is made for direction upon the concerned police authority to register FIR based on said complaint dated 23rd February, 2026 lodged by the petitioner.
- 3) 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)**.

4) Hence, writ petition is not entertained and same stands dismissed.

5) However, this order shall not preclude the petitioner to approach 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.)