

In The High Court at Calcutta
CONSTITUTIONAL WRIT JURISDICTION
(Appellate Side)

W.P.A. 9968 OF 2026

RUMA PATRA
VS.
THE STATE OF WEST BENGAL AND OTHERS

.....

Mr. Dinesh Pani, Adv.
Ms. Sulagna Sen, Adv.

...For the Petitioner

Mr. Suryaneel Das, AGP
Ms. Anita Kundu, Adv.
Mr. Bhaskar Bhattacharyya, Adv.

...For the State

1. Affidavit-of-service filed on behalf of the petitioner is taken on record.
2. Petitioner by presenting this writ petition has prayed for registering of FIR based on the complaint lodged before the concerned police authority. It is submitted that till date complaint of the petitioner is not transformed into FIR.
3. State respondents are represented by Mr. Suryaneel Das, learned Additional Government Pleader who has opposed this writ petition due to availability of alternative remedy.
4. Since petitioner has prayed for direction upon the concerned police authority to register FIR, there is an alternative remedy available to the petitioner to approach the jurisdictional Magistrate under Section 175 (3) of Bharatiya Nagarik Suraksha Sanhita, 2023. 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)***.
5. Hence, writ petition is not entertained and same stands dismissed.

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.)