

17 **15.06.2026**
(DL) Court No. 05
 (Suvendu Mukherjee)

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

WPA 10344 of 2026

Kartik Nayak
-Versus -

The State of West Bengal & Ors.

Mr. Debanca Das
Ms. Swgheta Maity

....for the petitioner

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

.....for the State respondents

- 1) Matter is taken up for consideration in presence of learned advocates representing the petitioner and State respondents.
- 2) Learned advocate representing the petitioner submits that complaint lodged with the concerned police authority is not transformed into FIR prompting the petitioner to approach this Court with the present writ petition seeking direction upon the concerned police authority to register FIR.
- 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.)