

WPA 10655 of 2026

Jayant Kumar Madnani
Vs.
The State of West Bengal & Ors.

Mr. Pronojit Roy
Ms. Abira Bhattacharyya
...for the petitioner

1. Matter is taken up for consideration in presence of the learned advocate representing the petitioner.
2. However, respondents are not represented.
3. It is submitted by the learned advocate representing petitioner that due to inaction on the part of the police authority in registering FIR writ petition is presented before this Court seeking necessary direction upon the concerned police authority.
4. There is an alternative remedy available under Section 175(3) of Bharatiya Nagarik Suraksha Sanhita, 2023 requiring petitioner to approach jurisdictional Magistrate, if there is inaction on the part of police authority in registering FIR. In this regard reliance is placed on the judgment of Hon'ble Supreme Court reported

in **(2007) 6 SCC 171 (Aleque Padamsee and Others vs. Union of India & Others)**.

5. 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.)