

In The High Court at Calcutta

CONSTITUTIONAL WRIT JURISDICTION

(Appellate Side)

W.P.A. 11026 OF 2026

SULTANA KHATUN
VS.
THE STATE OF WEST BENGAL AND OTHERS

.....

Mr. Imdadul Hoque, Adv.

...for the Petitioner

1. At the time of call petitioner is represented.
2. On perusal of the prayer couched in the writ petition, it appears that petitioner has approached this Court with the present writ petition due to inaction on the part of the concerned police authority to register FIR and to initiate a criminal prosecution.
3. 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)*.
4. In view of availability of alternative remedy, present writ petition is not entertained.
5. Hence, writ petition stands dismissed.
6. However, this order shall not preclude the petitioner to approach the jurisdictional Magistrate in pursuit of remedy.
7. Parties to act on the server copy of this order duly downloaded from the official website of this court.

(SAUGATA BHATTACHARYYA, J.)