

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

W.P.A. 11585 OF 2026

**MPR INDUSTRIES (A PARTNERSHIP FIRM) AND
OTHERS
VS.
THE STATE OF WEST BENGAL AND OTHERS**

.....

Mr. Asok Kumar Ganguly, Adv.
.....for the Petitioners
Mr. Suryaneel Das, AGP
Ms. Suchitra Sinha Chatterjee, Adv.
Ms. Sumita Sarkar, Adv.
.....for the State

1. Affidavit-of-service filed on behalf of the petitioners is taken on record.
2. Learned advocate representing the petitioners submits that though complaint was lodged on 28th April, 2026 before the concerned police authority but same has not been transformed into FIR and criminal prosecution is yet to be initiated.
3. Petitioners pray for direction upon the concerned police authority to register FIR.
4. Mr. Suryaneel Das, learned Additional Government Pleader representing the State respondents has opposed this writ petition and has submitted that there is an alternative remedy available to the petitioners if complaint of the petitioners is not taken into consideration and FIR is not registered.
5. Having considered the respective submissions made on behalf of the parties, it appears that petitioners pray for registration of FIR based on the complaint dated 28th April, 2026.
6. Under Section 175 (3) of Bharatiya Nagarik Suraksha Sanhita, 2023 complainant is required to approach the jurisdictional Magistrate for registration of FIR. 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)*.

7. In view of availability of alternative remedy, present writ petition is not entertained.
8. Hence, writ petition stands dismissed.
9. However, this order shall not preclude the petitioners to approach the jurisdictional Magistrate in pursuit of remedy.
10. Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(SAUGATA BHATTACHARYYA, J.)