

WPA 13188 of 2026

**Kakali Kar
Vs.
The State of West Bengal & Ors.**

Mr. Narendra Nath Malakar

...for the petitioner

Mr. Suryaneel Das
Ms. Anita Kundu
Ms. Sumita Sarkar

...for the State

Mr. Novanil De
Mr. Subhrojit De

...for the respondent nos. 4 to 6

1. Affidavit of service filed on behalf of petitioner is taken on record.
2. Matter is heard in presence of learned advocates representing petitioner, respondent nos. 4 to 6 and State respondents.
3. From the submissions made on behalf of parties it appears that in Mahishadal P.S. Case No. 485 of 2025 dated 24th November, 2025 charge sheet was filed on 15th December, 2025 and it is also submitted that trial will commence soon. According to petitioner and private respondents cognizance of offence is already taken by the Court below.
4. At this stage by presenting this writ petition under Article 226 of Constitution of India

prayer is made for addition of other provisions in Mahishadal P.S. Case No. 485 of 2025 dated 24th November, 2025.

5. Once charge sheet is filed and cognizance of offence is taken by Court below, writ petition under Article 226 of Constitution is not maintainable. Today, this Court is not considering application under Article 227 of Constitution of India nor an application under Sections 482 Cr.P.C./528 BNSS. Once judicial order is passed in connection with criminal proceeding writ petition under Article 226 is not maintainable. In this regard reliance is placed on the judgment of the Hon'ble Supreme Court reported in **2024 SCC OnLine SC 5761 (Neeta Singh & Ors. Vs. State of Uttar Pradesh & Ors.)**.
6. Hence, no relief can be granted to the petitioner.
7. Writ petition stands dismissed.
8. However, this order shall not preclude the petitioner to take steps in accordance with law.
9. Parties to act on the server copy of this order duly downloaded from the official website of this Court.

(Saugata Bhattacharyya, J.)