

WPA 13222 of 2026

**Hafizur Rahaman Khan
Vs.
The State of West Bengal & Ors.**

Mr. Amitava Chowdhury

...for the petitioner

Mr. Suryaneel Das

Ms. Anita Kundu

Ms. Sumita Sarkar

...for the State

Mr. Kaushik Chandra Gupta

...for the respondent no. 5

1. Affidavit of service filed on behalf of petitioner is taken on record.
2. Matter is heard in presence of learned advocates representing petitioner, State respondents and respondent no. 5.
3. Learned advocate representing respondent no. 5 appears on virtual mode.
4. It emanates from the submissions made on behalf of parties that inaction on the part of concerned police authority to register FIR based on the complaint lodged prompts the petitioner to approach this Court with the present writ petition. Petitioner prays for transforming his complaint into an FIR.
5. There is an alternative remedy available to the petitioner by approaching jurisdictional

Magistrate under Section 175(3) BNSS, 2023.

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)**.

6. In view of availability of alternative remedy present writ petition is not entertained and same stands dismissed.
7. However, this order shall not preclude the petitioner to approach jurisdictional Magistrate in pursuit of remedy.
8. Parties to act on the server copy of this order duly downloaded from the official website of this Court.

(Saugata Bhattacharyya, J.)