M/L- 41
05/10/2026
Ct. No.-758
Aritra

WPA 30293 of 2024

Supriya Mandal
Vs.
The State of West Bengal & Ors.

Mr. Priya Ghosal
....for the petitioner

Ms. Sudipa Banerjee
Ms. Puja Sonkar
....for the State

The instant writ petition has been filed alleging inaction pursuant to a complaint dated November 28, 2024 lodged by the petitioner with Mohanpur Police Station alleging that the private respondent had threatened the petitioner over phone call by stating that no one can save the petitioner or give justice to her as the private respondent had established contacts in the police force of the State. On such allegation the aforesaid complaint was lodged but, according to the petitioner, the police have not taken any steps in the matter.

The petitioner has therefore prayed for a writ in the nature of mandamus directing the police authorities to investigate to the said complaint against the private respondents.

A report was called for from the State.

The learned advocate for the State has submitted a report dated October 5, 2026 wherefrom it appears that this is second round of litigation before this Court. In the first round, the writ petitioner has filed an application under Section 156(3) of the Cr.P.C. against the private respondent alleging that the private respondent had dishonestly induced the petitioner to marry him on the pretext that the private

respondent no.4 was a bachelor. It however later transpired that the private respondent no.4 was married and has a son. The application under Section 156(3) of the Cr.P.C. being MP Case No.386 of 2024 was dismissed by the Magistrate Court, after conducting an enquiry into the matter, wherefrom it appears that the petitioner herself taking advantage of the private respondent no.4, had got a loan of Rs.10,00,000/- sanctioned from the State Bank of India, Palta Branch and only Rs.50,000/- out of the said amount, was given to the private respondent no.4. The balance of Rs.9,50,000/- was transferred to the account of the petitioner.

On such findings the learned Additional Chief Judicial Magistrate, Barrackpore rejected the application under Section 156(3) of the Cr.P.C.

The said order was challenged in a writ petition being WPA 22248 of 2024 before this Court. A coordinate Bench by an order dated September 27, 2024 was pleased to dispose of the said writ petition, without granting any relief to the petitioner on the premise that the learned Magistrate Court after conducting an enquiry under Section 156(3) of the Cr.P.C. did not consider it appropriate to direct the police to register a case for investigation.

The petitioner submits that after this Court dismissed her writ petition, the private respondent no.4 had again approached the petitioner and threatened her in a manner as aforesaid. The petitioner is aggrieved by the inaction of the police, in not taking steps pursuant to her complaint.

Having considered the facts of the case and submissions of the parties this Court is of the view that inasmuch as the

petitioner's present complaint discloses a cognizable offence, the petitioner would be at liberty to approach the jurisdictional Magistrate with an appropriate application for direction upon the concerned police in accordance with law.

The present jurisdiction of this Court under Article 226 of the Constitution of India cannot be invoked for a direction for registration of an FIR, particularly in the facts and circumstances of this case.

WPA 30293 of 2024, is disposed of on the above observations.

There will be no order as to costs.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Anuj Singh, J.)