

25.03.2026
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**IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri**

WPA 428 of 2026

**Sri Krishna Sah @Krishna
Saha & Ors.
Vs.
The State of West Bengal & Ors.**

Mr. Sudipto Kr. Mazumdar, Ld. Sr. Adv.,
Mr. Sudip Kr. Paul,
Mr. Subhankar Dutta,
Mr. Sourab Kar,
Mr. Satyam Sarkar,
Mr. Mayank Bhandari.
...for the Petitioners.

Ms. Bedashruti Bose,
Mr.S andip Guha Roy.
...for the State.

1. Affidavit of service filed in Court today is taken on record.
2. The petitioners have preferred the present writ petition seeking, inter alia, quashing of the FIR being Matigara Police Station Case No. 36 of 2026 dated 19.01.2026, registered under Sections 132/121(1)(2)/3(5)/189(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023. The petitioners further seek a direction upon respondent No. 2 to initiate disciplinary action against the Inspector-in-Charge, Matigara Police Station, for allegedly lodging the said case illegally and falsely against the petitioners.

3. It is well settled that a writ petition, being in the nature of a civil proceeding, is ordinarily not maintainable for the purpose of quashing an FIR. However, learned Senior Counsel appearing for the petitioners submits that he does not press the prayer for quashing of the FIR and confines the reliefs to a direction against the Inspector-in-Charge, Matigara Police Station, for allegedly not conducting a proper investigation in connection with FIR No. 34 of 2026 dated 18.01.2026.

4. Learned counsel appearing for the State submits that seven persons have been arrested in connection with FIR No. 34 of 2026. She further submits that the police authorities are actively conducting the investigation and shall take all necessary steps in accordance with law, and that a charge sheet shall be filed in due course.

5. The present matter pertains to a communal dispute between two groups, wherein FIRs have been lodged both at the instance of the petitioners as well as by the police authorities, being FIR No. 34 of 2026 and FIR No. 36 of 2026. The investigations in both cases are presently ongoing.

6. At this stage, on the basis of the materials placed on record, it cannot be concluded that the police authorities are acting in violation of law. Accordingly, no interference or specific direction is warranted. However, it is observed that the police authorities shall proceed strictly in accordance with law and shall conduct the investigation in a fair and impartial manner, including in respect of the FIR lodged at the instance of the petitioners.

7. Accordingly, the present writ petition stands disposed of.

8. Since no affidavits have been called for, all allegations made in the writ petition shall be deemed to have been denied.

(Gaurang Kanth, J.)