

18.  
(DL)

02.04.2026  
Ct. No. 05  
(ARPAN)

# IN THE HIGH COURT AT CALCUTTA

CONSTITUTIONAL WRIT JURISDICTION  
(Appellate Side)

**W.P.A. 7543 OF 2026**

**XXXXX**

**VS**

**THE STATE OF WEST BENGAL AND OTHERS**

.....

Mr. Bijoy Adhikary, Adv.  
Mr. Satrajit Sinha Roy, Adv.  
Mr. Supriyo Ghosh, Adv.  
Ms. Susmita Adhikary, Adv.

...for the Petitioner

Mr. Suman Ghosh, Adv.  
Mr. Sankha Prasad Roy, Adv.

...for the State

1. Affidavit-of-service filed on behalf of the petitioner is taken on record.
2. Matter is heard in presence of the learned advocates representing the petitioner and the State respondents.
3. The grievance of the petitioner being the victim girl was ventilated *vide* complaint dated 25<sup>th</sup> January, 2026 addressed to the Officer-in-Charge, Survey Park Police Station, Kolkata being respondent no.4.
4. However, it is submitted on behalf of the petitioner that based on such complaint dated 25<sup>th</sup> January, 2026, concerned police authorities did not take steps.
5. During course of hearing, it is brought to the notice of this Court that a POCSO case being Survey Park P.S. Case No.232 dated 25<sup>th</sup> October, 2023 is pending and same was initiated based on the complaint lodged by the mother of the petitioner against respondent no.6.

6. Learned advocate representing the State respondents submits on instruction that no cognizable offence was found from the complaint dated 25<sup>th</sup> January, 2026 of the petitioner upon causing enquiry as a result whereof said complaint could not be transformed into FIR.
7. Considering the submission made on behalf of the State respondents, respondent no.4 is directed to file an affidavit by fortnight from date disclosing as to why FIR could not be registered based on the aforesaid complaint dated 25<sup>th</sup> January, 2026.
8. Copy of the affidavit shall be served upon the learned advocate representing the petitioner.
9. List the matter under the same heading for further consideration on 6<sup>th</sup> May, 2026.
10. However, it is made clear that before filing affidavit respondent no.4 shall be at liberty to cause further enquiry in order to ascertain the real facts of the case.

**(SAUGATA BHATTACHARYYA, J.)**