

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
(Appellate Side)

W.P.A. 8851 OF 2026

XXXXXX AND OTHERS
VS.
THE STATE OF WEST BENGAL AND OTHERS

.....

Mr. Srikanta Paul, Adv. ...for the Petitioners

1. Affidavit-of-service filed on behalf of the petitioners is taken on record.
2. Grievance of the petitioners is in spite of lodging complaint same has not been transformed into FIR by registering a case.
3. There is an alternative remedy available to the petitioners to approach the jurisdictional Magistrate under Section 175 (3) of Bharatiya Nagarik Suraksha Sanhita, 2023. In this regard, reliance is placed on the judgment of the Hon'ble Supreme Court reported in ***(2007) 6 SCC 171 (Aleque Padamsee and others vs. Union of India and others)***.
4. Hence, writ petition is not entertained and same stands dismissed.
5. However, this order shall not preclude the petitioners to approach the jurisdictional Magistrate in pursuit of remedy.
6. Parties to act on the server copy of this order duly downloaded from the official website of this court.

(SAUGATA BHATTACHARYYA, J.)