

25
rkd 16.06.2026
Ct.05

W.P.A. 12237 of 2026

Mr. Gour Sardar

-vs-

The State of West Bengal & Ors.

Ms. Tapati Sarkar,
Mr. Anisur Rahaman

....for the petitioner.

Mr. Suryaneel Das,
Ms. Anita Kundu

....for the State.

1. Affidavit-of-service filed on behalf of the petitioner is taken on record.
2. Learned advocate representing the petitioner submits that a complaint was lodged before the concerned police authority but same has not been transformed into an FIR. Petitioner prays for direction upon the concerned police authority for initiation of criminal prosecution by drawing up an FIR.
3. Mr Das, learned Additional Government Pleader representing the State respondents has opposed this writ petition and it is submitted that an alternative remedy is available under Section 175(3) of BNSS 2023 by approaching jurisdictional Magistrate in the event petitioner's complaint has not been transformed into FIR.
4. In this regard, reliance is placed on the judgment of the Hon'ble Supreme Court, reported in (2007) 6 SCC 171 (Aleque Padamsee & Ors. –v. Union of India &

Ors.).

5. Hence, writ petition stands dismissed.
6. However, this order shall not preclude the petitioner to approach the jurisdictional Magistrate, in pursuit of remedy.
7. Parties to act on the server copy of this order duly downloaded from the official website of this Court.

(Saugata Bhattacharyya, J.)