

In The High Court at Calcutta
CONSTITUTIONAL WRIT JURISDICTION
(Appellate Side)

W.P.A. 14636 OF 2026

ANCHHAR SEKH
VS.
THE STATE OF WEST BENGAL AND OTHERS
.....

Mr. Kaustav Chatterjee, Adv.
Mr. Ramij Raja Mondal, Adv.
Mr. Dipankar Guha, Adv.

...For the Petitioner

Mr. Suryaneel Das, AGP
Ms. Suchitra Sinha Chatterjee, Adv.

...For the State

1. Matter is heard in presence of the learned advocates representing petitioner and State respondents.
2. Learned advocate representing the petitioner submits that in-action on the part of the concerned police authorities in not taking steps after reporting alleged cognizable offence prompted the petitioner to approach this Court with the present writ petition seeking direction upon the concerned police authorities to take steps.
3. Learned advocate representing the State respondents submits that petitioner prays direction upon the concerned police authorities for registration of FIR.
4. It is trite that if petitioner is not satisfied with regard to the steps taken by the concerned police authority by not registering FIR or in the event FIR was registered but necessary steps were not taken by the police authority, petitioner is required to approach the jurisdictional Magistrate within the statutory framework.

5. In this regard, reliance is placed on the judgment of the Hon'ble Supreme Court reported in **2026 SCC OnLine SC 798 (Sujal Vishwas Attavar and another vs. State of Maharashtra and others)**. Paragraph 7 of *Sujal Vishwas Attavar (supra)* is quoted below:

“7. Keeping in view the above exposition of law, we find that the extraordinary jurisdiction under Article 226 of the Constitution of India ought not to have been invoked when alternative equally efficacious statutory remedies were available. If a person has a grievance that his FIR has not been registered by the police, or having been registered, proper investigation is not being conducted, then the remedy does not ordinarily lie in invoking the writ jurisdiction in the first instance, but in seeking recourse to the statutory framework, unless of course the urgency of the circumstances warrant otherwise.”

6. Writ petition stands dismissed.
7. Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(SAUGATA BHATTACHARYYA, J.)