

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

W.P.A. 14840 OF 2026

MADHAB CHANDRA JANA
VS.
THE STATE OF WEST BENGAL AND OTHERS
.....

Mr. Indranil Halder
...For the Petitioner

Mr. Suryaneel Das, AGP
Ms. Suchitra Sinha Chatterjee, Adv.
Mr. Chiranjit Pal, Adv.
...For the State

1. Matter is heard in presence of the learned advocates representing petitioner and State respondents.
2. It is submitted by the learned advocate representing the petitioner that in spite of lodging complaint necessary steps are not taken by the concerned police authorities by registering FIR; only one GD entry was made.
3. Mr. Suryaneel Das, learned Additional Government Pleader representing the State respondents submits that there is an alternative remedy available to the petitioner to approach the jurisdictional Magistrate, if complaint of the petitioner is not transformed into FIR.
4. In view of availability of alternative remedy under Section 175 (3) of BNSS, 2023, petitioner is required to approach the concerned authorities within the statutory framework. 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)*.

5. In aforesaid conspectus present writ petition is not entertained and same stands dismissed.
6. However, this order shall not preclude the petitioner to approach 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.)