

ORDER SHEET
WPO/197/2026
IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
ORIGINAL SIDE

HYGIEA BIOGENICS PRIVATE LIMITED
-VS-
STATE OF WEST BENGAL AND ORS

BEFORE:
HON'BLE JUSTICE SAUGATA BHATTACHARYYA
DATE: 20.05.2026

Mr. S. Mitra, Adv.; Mr. K.K. Daruka, Adv.; Ms. S. Biswas, Adv., for petitioner.
Mr. A. Mishra, Adv., for R-5.

1. THE COURT: On hearing learned Advocates representing the petitioner and the respondent no.5, it appears that the petitioner is aggrieved due to inaction on the part of the concerned police authority in registering FIR based on the complaint lodged by the petitioner.
2. Petitioner, in other words, prays for directed upon the concerned police authority to initiate a criminal proceeding by transforming the complaint of the petitioner into an FIR.
3. There is an alternative remedy available to the petitioner under section 175(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023, requiring the petitioner to approach the Jurisdictional Magistrate. In this regard, reliance is placed on the

judgment of the Hon'ble Supreme Court reported in **(2007) 6 SCC 171 (Alique Padamsee & Ors. -vs- Union of India & Ors.)**.

4. Hence the writ petition is not entertained and same stands dismissed.
5. However, this order shall not preclude the petitioner to approach the Jurisdictional Magistrate in pursuit of remedy.

(SAUGATA BHATTACHARYYA, J)

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