

Form No. J(2)

IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION

Present:

The Hon'ble Justice Jay Sengupta

C.R.R. 114 of 2021
Salema Khatun @ Salama Khatun

-vs-

The State of West Bengal & Anr.

For the Petitioner : Mr. Somnath Adhikary

For the Opposite party : Mr. Debjyoti Maity

For the State : Mr. Imran Ali

Heard on : 11.03.2021

Judgment on : 11.03.2021

Jay Sengupta, J.:

This is an application for transfer of a proceeding under the POCSO

Act pending before the learned Additional Sessions Judge, 2nd Court, Raiganj, Uttar Dinajpur to the learned Special Judge under the POCSO Act at Islampur, Uttar Dinajpur.

Learned Counsel appearing on behalf of the petitioner submits as follows. The proceeding is pending in Raiganj because earlier there was no such Court under the POCSO Act at Islampur. However, the jurisdiction to try the case lies at Islampur. Moreover, the victim/petitioner as well as the accused stay at Islampur. In the interest of justice, the trial should be transferred from Raiganj to Islampur.

Learned Counsels appearing on behalf of the State and the accused/opposite party no.2 submit that the jurisdiction to try the case actually lies at Islampur and since a Special Judge has been appointed for taking up such cases at Islampur, the proceeding may be transferred to that Court.

I have heard the submissions of the learned Counsels appearing on behalf of the parties and have perused the revision petition.

It appears that the jurisdiction to try to case at hand lies at Islampur.

The matter has been pending at Raiganj because earlier there was no such Court at Islampur.

In view of the above and in the interest of justice, I direct the transfer of the impugned proceeding from the Court of the learned

Additional Sessions Judge, 2nd Court, Raiganj, Uttar Dinajpur to the Court of the learned Special Judge, POCSO Act, Islampur at Uttar Dinajpur.

With these observations, the revisional application is disposed of.

Urgent photostat certified copy of this judgment may be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J.)

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