

13.08.2021
Item no.16
Ct. No.34
CHC

C.R.R. No.670 of 2012

(Via video Conference)

In Re: An application under Section 407 of the Criminal Procedure Code for transfer of the case.

AND

In the matter of:-

Lakpa Doma Bhutia

... petitioner

Mr. Arijit Ganguly,
Mr. Sanjib Kumar Dan

...for the State

The present revisional application was preferred by the petitioner being the witness in respect of the trial proceedings relating to G.R. Case No.101 of 2010, corresponding to Kalimpong Police Station Case No.82 of 2010.

The petitioner being witness in the chargesheet prayed for transfer from the district of Kalimpong to any court of Jalpaiguri. The basis of such apprehension is that she was threatened and to that effect a General Diary Entry has been enclosed.

Records reflect that by an order dated 14.03.2012, there was an interim order staying the proceedings till the hearing of the application.

Having regard to the period of time which has elapsed in the meantime, I am of the view that circumstances have changed after

nine years. As such, transfer is not warranted in connection with the instant case. However, if the petitioner so apprehends that there may be any threat upon her, in that case, she would approach to Inspector-in-Charge, Bhaktinagar Police Station who would make arrangement after communicating with his counterpart in the district of Kalimpong and make necessary arrangement for deposing before the court of law in connection with the instant case.

With the aforesaid observations, the revisional application being C.R.R.670 of 2012 is disposed of.

Pending application, if any, is consequently disposed of.

Interim order, if any, is hereby vacated.

All parties shall act in terms of copy of this order downloaded from the official website of this Court.

(Tirthankar Ghosh, J.)