

Form No. J(2)

***IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION***

Present:

The Hon'ble Justice Jay Sengupta

**C.R.R. 1710 of 2019
(CRAN 1 of 2021)**

**Nikhilendu Sekhar Mahapatra
-vs-
The State of West Bengal & Anr.**

For the Petitioner : Mr. Ayan Bose,
Mr. S. Bera,
Mr. P. K. Das,
Mr. S. Routh

For the Opposite Party no.2: Mr. Ashis Kumar Chowdhury,
Mr. Deborupa Mukherjee,
Ms. Sabnam Sultana

For the State : Mr. Madhusudan Sur,
Mr. Dipankar Paramanick

Heard on: 12.03.2021

Judgment on: 12.03.2021

Jay Sengupta, J.:

Heard the learned counsels for the petitioner, the opposite party no.2 and the State.

At this stage, the learned counsel for the petitioner submits that the petitioner would not like to press this

application and would instead pray that the trial of the present case may take place before the same court which will adjudicate the trial of G.R. No.743 of 2013 presently pending before the learned Judicial Magistrate, 3rd Court, Tamluk, Purba Medinipur. According to him, these two cases are connected ones as these are two cross cases pending between the adverse parties. According to him, the cases pertain to the same date of occurrence. Charges have been framed in both the cases.

Learned counsels for the private opposite party and the State submit that it will be in the interest of justice if both the matters are tried together by the same court, one after another the other.

Accordingly, prayer for quashing of the impugned proceeding is dismissed as not pressed. However, the petitioner shall be at liberty to agitate all the points raised in this application before the learned trial court.

It is directed that the present case being G.R. No.2724 of 2014 corresponding of S.C. Case No.99(4)17 shall be tried by the learned Additional District Judge, 2nd Court, Tamluk, Purba Medinipur, before whom the matter is already pending along with G.R. Case No.743 of 2013, which is presently

pending before the Learned Judicial Magistrate, 3rd Court, Tamluk, Purba Medinipur. For this purpose, the records of the G.R. Case No.743 of 2013 shall be transmitted to the Court of the learned Additional District Judge, 2nd Court, Tamluk, Purba Medinipur forthwith. The trial of both the cases shall take place before the same court, one after the other.

With these observations, the revisional application and the connected application being CRAN 1 of 2021 are disposed of.

Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Jay Sengupta, J.)