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(via Video Conference)

CRR 2970 of 2007

In re : An application under Section 397 read with Sections 401
and 482 of the Code of Criminal Procedure, 1973

In the matter of : Securities and Exchange Board of India
... Petitioner.

Mr. Rajib Roy ... for the petitioner

As per instruction of this Court, the petitioner has served notice once again upon the respondent-company and the Directors of the respondent-company. In spite of such service, none has appeared on behalf of the respondents.

Mr. Rajib Roy, learned Counsel appearing on behalf of the petitioner submits that several amendments had taken place with regard to Securities and Exchange Board of India Act, 1992 as amended on several occasions and the last amendment with regard to jurisdiction was made in the year 2014 wherein all matters in relation to Securities and Exchange Board of India are to be heard by a Special Court.

In light of the same, Mr. Roy submits that the lis before the trial court and before the High Court has become infructuous as the matter has to be heard by a Special Court.

In light of the same, this criminal revisional application is allowed and the matter is directed to be transferred to the Special Court for adjudication and trial in accordance with law.

Department is directed to send the records and communicate to the learned Chief Judicial Magistrate, Alipore for transfer to the learned Special Judge, 5th Court at Calcutta.

With the above directions, this revisional application is disposed of.

All parties are to act on website copy of this order.

(Shekhar B. Saraf, J.)