

Sr. 306
08-11-2021
Subha.
Court no. 34

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION
APPELLATE SIDE
(Via Video Conference)**

CRR 1762 of 2020

with
CRAN 1 of 2021

In the matter of : Sri Kallol Pal & Orspetitioners.

In Re : An application under Section 407 read with Section 482 of the Code of Criminal Procedure.

Mr. Sujan Chatterjee
.....for the petitioners.

Mr. Dipayan Kundu
...for the opposite party no. 2.

I have perused the report submitted by the learned Judicial Magistrate, 2nd Court, Hooghly wherein it has been submitted that there was no disruption of the judicial work as alleged by the petitioners, but there was a hot altercation which took place between the members of the local bar within the present petitioners.

According to the learned advocate appearing for the opposite party no. 2 without effectively participating in the proceedings the petitioners are trying to take advantage of the earlier order passed by this court regarding the submission of bail bonds.

Be that as it may, I have applied my mind to the report which has been laid by the learned Judicial Magistrate, 2nd Court, Chandanngore, Hooghly and as I find that there may be some apprehension in the mind of the petitioners because of the hot altercation which has taken place within the court premises and the fact that the opposite party no. 2 happens to be a member of the local bar association of the court of learned Additional Chief Judicial Magistrate, Chandannagar, Hooghly, I am of the view that no prejudice would be caused to both the parties if the case is transferred to the neighbouring Sub Division and the District Town, Chinsurah.

Let the case records of CR Case No. 479 of 2019(T. R. No. 204 of 2019 under Sections 323/448/504/506/120B of the Indian Penal Code be transferred and placed before the learned Chief Judicial Magistrate, Hooghly who would either try the case by himself or designate it to a Judicial Magistrate of his choice.

With the aforesaid observation, the present revisional application being CRR 1762 of 2020 is partly allowed.

The learned Judicial Magistrate, 3rd court, Chandannagore, Hooghly is directed to see that the records are transmitted to the learned Chief Judicial Magistrate, Hooghly within a fortnight from date.

The learned C. J. M., Hooghly would take steps so that the trial commences on or before 15th December, 2021.

In view of the aforesaid order, all connected applications are disposed of accordingly.

Interim order, if any, is hereby vacated.

All parties are to act on the server copy of this order duly downloaded from the official website of this court.

(Tirthankar Ghosh, J.)