

07.03.2022

Item No.104
Ct.No.34
dc.

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

C.R.R. 2747 of 2018
(Via Video Conference)

Smt. Mridula Paul
versus
Sri Somnath Paul & Anr.

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

Md. S. Hossain,
Mr. Supriyo Das ... For the Petitioner.

Mr. Tapas Kumar Ghosh,
Mr. Tanmay Chowdhury ... For the Opposite Party No.1.

Mr. S. G. Mukherjee, Ld. P.P.,
Mr. Arijit Ganguly,
Mr. Sanjib Kumar Dan ... For the State.

Report dated 02.03.2022 submitted by Inspector-in-Charge, Salanpur Police Station be kept on record.

The said report reflects that there are about 10 witnesses in the case, out of which 5 witnesses are within the jurisdiction of Dum Dum Police Station while the other 5 witnesses are within the districts of Purba Bardhaman, Paschim Bardhaman and Birbhum. As the jurisdiction of the concerned police station was rightly invoked by the *de facto* complainant, it may not be in the interest of justice to only have sympathy on the *de facto* complainant regarding her minor child as there may be some fatality in the litigation at the subsequent stage of the proceedings in respect of the witnesses who are residing in or around the locale of the jurisdictional court.

It has been informed that the next date has been fixed on 16.03.2022, but this date may not be possible for the petitioner to make herself available before the learned trial court. As the charges have already been framed, I direct the learned trial court to fix the next date on 12.04.2022 when the petitioner being the charge-sheet witness no.1 would appear before the learned trial court and her examination-in-Chief as well as cross-examination should be concluded on the said date i.e. on 12.04.2022.

Learned advocate appearing for the State is directed to inform the Inspector-in-Charge, Salanpur Police Station who would communicate this order to the public prosecutor conducting the case. The public prosecutor conducting the case should see that on the relevant date, the documents as well as the alamats of the case are produced before the court when the trial is conducted and on no flimsy grounds, the case should be adjourned.

No interference is made on the transfer of the application is concerned.

With the aforesaid directions, the revisional application being CRR 2747 of 2018 is disposed of.

Interim order, if any, is hereby vacated.

All pending connected applications, if any, are consequently disposed of.

Registrar (Judicial Service), High Court, Calcutta is directed to inform the District Judge, Paschim Bardhaman

who would communicate with the concerned judicial officer to comply with the aforesaid directions.

All parties shall act on the server copy of this order duly downloaded from the official *website* of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)