

04-04-2022
Subha
Item no.2
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

C.R.R 2784 of 2019

In the matter of : **Indranil Choudhury**petitioner.

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

Mr. Apurba Kumar Datta
Mr. Debanjan Mukherjee
Mr. Avishek Bhandari

....for the petitioner.

Mr. Samiran Mondal
Mr. Abhinaba Dan

....for the Opposite Party.

The present application was preferred with a prayer for transfer of the proceedings under Section 125 of the Code of Criminal Procedure pending before the learned Additional Chief Judicial Magistrate, Khatra, Bankura to any court within the territorial jurisdiction of the Sub-Division of Asansol.

I have heard the learned advocate appearing on behalf of the petitioner/husband as well as the learned advocate appearing on behalf of the opposite party/wife and on an appreciation of the contentions raised by the learned counsel for the petitioner, I find that the present application has been filed only on the foundation of convenience of the petitioner.

It has been submitted that there are other cases, which are pending at Asansol as also within the Sub-Division of Khatra.

Having regard to the contentions advanced in this

application, I am of the opinion that if a litigant has rightly invoked the jurisdiction of a court, for convenience of the other side, the same cannot be transferred. However, if there are change of circumstances, petitioner would be at liberty to approach the court with a fresh prayer assigning the reasons.

With the aforesaid observations, the present revisional application being CRR 2784 of 2019 is disposed of.

All pending applications, if any, in connection with the revisional application, are consequently disposed of.

Interim order, if any, is hereby vacated.

All concerned parties are to act in terms of a copy of this order duly downloaded from the official website of this court.

[Tirthankar Ghosh, J]