

16.11.2022
BMJR
Item no. 03
Ct. No.236

CRR 2840 of 2012

**Sadanala Ramkrishna & Ors.
Vs.
National Investigation Agency & Anr.**

Mr. Sourav Chatterjee

.... For the petitioner
For (Calcutta High Court Legal Service Authority)

Mr. Sanjoy Bardhan

..... For National Investigating Agency (N.I.A)

This application under Section 407(1)(a) & (c) read with Section 482 of the Code of Criminal Procedure, 1973 is filed seeking transfer of the case being N.I.A Special Case no. 01 of 2012 arising out of Jorsanko Police Station Case No.138 of 2012 dated 1st of March, 2012 under Section 120B/121/121A/122 of the Indian Penal Code, Section 25(1A) of the Arms, Section 5 of the Explosive Substance Act and Section 18, 20, 40(1)(b) & (c) of the Unlawful Activities (Prevention) Act from the Court of learned Chief Judge, City Sessions Court, Calcutta at Bichar Bhawan to any other competent Court having co-ordinate jurisdiction.

Mr. Sourav Chatterjee, learned counsel, representing the petitioner being appointed by Calcutta High Court Legal Services Committed submits that taking into consideration the allegation of bias this Court may pass appropriate order.

The petition was filed way back in 2012 and after elapse of ten years the Presiding Officer whom the accused persons painted with colour of bias must have been transferred by this time.

The petition with the lapse of time has become devoid of merit and is dismissed without any order of cost. Interim order of stay, if any, stands vacated.

Mr. Chatterjee with all fairness submits that necessary direction may be given to the learned trial Court to ensure the right of the accused persons to have speedy trial. I do not consider it expedient to pass such direction. Rather I rest the issue upon the conscience of learned Trial Judge. I believe learned Trial Judges are giving their best and will be taking all necessary measure to ensure such right of the litigants.

Let a copy of the order be sent to the learned trial Court for information.

(Siddhartha Roy Chowdhury, J.)