

CRR 3515 of 2007

In the matter of : Pradeep Kumar Singh

Mr. Rahul Ganguly ... for the petitioner

Ms. Sujata Das for the State

Mr. Ganguly, learned advocate representing the petitioner submits that the petitioner is a railway employee who has been implicated falsely in this case on the basis of suo motto complaint initiated by the learned Railway Magistrate under Section 228 of I.P.C. Subsequently on 13.8.2007, the learned Railway Magistrate decided to invoke the provision of Section 346 of Cr.P.C. to transfer the case to a competent Court of law to proceed with the case in the light of Section 346 of Cr.P.C. exceeding jurisdiction in as much as the proceeding ought to have been completed by the learned Court who initiated the proceeding. Judicial proceeding got interrupted because of some unruly persons who after entering into the Court room started shouting slogan and Mr. Pradip Kr. Singh was identified as the man responsible for creating pandemonium in Court room. It is submitted learned Trial Court had to conclude the proceeding under Section 228 of the I.P.C But proceeding could not be concluded as adjournment was sought for on behalf of the petitioner on different pretext.

Therefore, petitioner cannot be allowed to turn around to say that procedure has been violated take advantage of his own wrong.

I do not find any reason to interfere with the order impugned that apart this petition under consideration is pending since 2007 and there is every likelihood that the matter is disposed of in the meantime in absence of any interim order of stay.

With the aforesaid observation, the criminal revision is disposed of without any order as to costs.

The copy of the order be sent down to the learned Trial Court for information and necessary action.

The parties shall act the server copy duly downloaded from the official website of this Court.

Urgent Photostat certified copy of this, if applied for, be supplied to the parties, upon completion of requisite formalities.

(Siddhartha Roy Chowdhury, J.)