

10.5.2022
S.D.
14.

C.R.R. 2996 of 2015

**Samir Das
Vs.
State of West Bengal & Anr.**

The instant revisional application under Section 407 read with Section 482 of the Cr.P.C. is listed today for hearing. In this revisional application, the petitioner has prayed for transfer of G.R. case no. 1499 of 2010 arising out of Titagarh Police Station Case No. 141 of 2010 dated 31.3.2010 under Section 427/451/323/307/379/506 of the IPC from the 2nd Court of learned Judicial Magistrate, Barrackpore to any other Court.

It appears from the impugned order dated 6.4.2015 that learned Judicial Magistrate, Barrackpore, 2nd Court rejected the prayer of the petitioner seeking transfer of the case to the Court of learned Chief Metropolitan Magistrate, Kolkata or before learned Chief Judicial Magistrate at Alipore on a plea that complainant is an influential practicing lawyer at Barrackpore Court.

This is the second consecutive dates the petitioner has remained absent without seeking any accommodation. Administrative notice was issued to inform the petitioner and opposite party no. 2 that the matter has been listed for hearing before this Court on 10.5.2022. It is reported that notice has been served to the petitioner Mr. Samir Das and opposite party no. 2, Anil Kumar Ghosh. The report is taken on record.

Since filing of this application in the year 2015, seven years have passed and there has been change of circumstances rendering this application infructuous. Due to absence of the petitioner on two consecutive dates, the prayer for transfer of this case stands dismissed for default.

Let a copy of this order be sent to learned Judicial Magistrate, 2nd Court, Barrackpore for information.

(Ananda Kumar Mukherjee, J.)