

D/L29
13.09.2023
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C.R.R.599 of 2023
With
CRAN 1 of 2023

In Re: An application under Section 482 read with 401 of the Code of Criminal Procedure, 1973;

Sipra Kar
Versus
The State of West Bengal and others

Mr. Sk. Mustafi Rahaman
Ms. Saswati Manna.
...for the petitioner.

In Re: CRAN 1 of 2023

There is a delay of 133 days in preferring the revisional application. The grounds so assigned in the revisional application are found to be just and sufficient. Accordingly, the delay is condoned.

Thus, CRAN 1 of 2023 is allowed.

In Re: CRR 599 of 2023

The revisional application is taken up for hearing. Surprisingly in the present revisional application it is reflected that the petitioner is aggrieved by the order passed by the learned Sessions Judge, Purba Bardhaman at Burdwan in connection with Misc. Case No.564 of 2021 under Sections 408/409 of the Code of Criminal Procedure which relates to Monteswar Police Station Case No.90 of 2020 dated 20th March, 2020.

From the order dated 05.07.2022 it is appearing on the face of it as recorded by the learned Sessions Judge, Purba Bardhaman is as follows:

“However, during hearing both parties came to a settlement that if the case is transferred to any court of Katwa Sub-division, no one will be prejudiced and suffer any kind of inconvenience. Hence, the case may be transferred to any competent court at Katwa in lieu of Burdwan Sadar Sub-Division as prayed for in this petition.”

Learned advocate submits that it is an incorrect recording by the learned Sessions Judge.

Accordingly, the revisional application is remitted back to the learned Sessions Judge, Purba Bardhaman at Burdwan. Learned Sessions Judge, Purba Bardhaman at Burdwan will rehear Misc. Case No.564 of 2021 and arrive at his fresh finding. Consequently, the order dated 05.07.2022 is set aside.

Accordingly, CRR 599 of 2023 is allowed.

Department is directed to communicate this order to the learned Sessions Judge, Purba Bardhaman at Burdwan.

Pending other applications, if any, are consequently disposed of.

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 of all requisite formalities.

(Tirthankar Ghosh, J.)

