

01.12.2023

SL. 133
Court No. 34
Suvayan

C.R.R. 1055 of 2022

In Re: - An application under Section 407 of the Code of Criminal Procedure.

And

In the matter of: **Gautam Dutta**

....petitioner.

Mr. Bidyut Kr. Halder
Mr. Indranil Halder
Ms. Neha Singh

...for the petitioner.

Mr. Tanmay Kr. Ghosh

...for the State.

Supplementary affidavit so filed be kept with the record.

Petitioner is directed to serve a copy of the revisional application upon Mr. Tanmay Kr. Ghosh, learned Advocate who ordinarily appears on behalf of the State. His appointment may be regularized by the concerned Authorities in due course.

Petitioner has prayed for transfer of the proceedings arising out of Tamruk P.S. Case No. 557 of 2020 dated 14.10.2020. The investigating agency on completion of the investigation has already submitted charge-sheet in connection with the said case before the learned Chief Judicial Magistrate, Purba Medinipur. The main ground of transfer is inconvenience of the petitioner for travelling at the Court as also the factum that the wife has used some address for institution of the case.

Having regard to the nature of the allegations the jurisdiction which was unchallenged because of the investigation and the factum that the case has already ended in the charge-sheet and cognizance has been taken by the learned Court the prayer which has been advanced before this Court for transfer do not fall within

the ambit of any of the provisions of the Cr.P.C. to be acceded. If the petitioner has document in its possession to show the same is to be contradicted and confronted the same is to be tested at the stage of cross-examination.

At this stage, there is no scope for interference to transfer the case.

With the aforesaid observations, the present revisional application being CRR 1055 of 2022 is disposed of.

Pending applications, if any, are consequently disposed of.

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.)

