

05-04-2023
Subha
Item no. 43
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

C.R.R 2180 of 2021

Ujjal Das
-versus-
The State of West Bengal & anr.

Re : An application under Section 407 read with Section 482 of the Code of Criminal Procedure.

Mr. Syed Nurul Arefin
Mr. Rahul Singh

...for the petitioner.

Mr. Malay Bhattacharyya

...for the O. P. No. 2.

Mr. Saibal Bapuli, Id. APP,
Mr. Arijit Ganguly
Mr. Sanjib Kumar Dan

...for the State.

Affidavit of service so filed be kept with the record.

Report submitted by the I.C, Sonamukhi PS through the learned advocate appearing for the State is kept with the record.

This is an application under Section 407 read with Section 482 of the Code of Criminal Procedure praying for transfer of the proceedings from the court at Bankura to any court at Burdwan. The report so submitted reflects that the case has already been committed to the court of the learned Additional Sessions Judge, Bankura and is awaiting for appointment of the Public Prosecutor in the present case.

I have considered the contentions advanced in the application for transfer as well as the ground on which the First Information Report was registered at Sonamukhi Police Station.

I find that the complainant had to escape from her matrimonial home which was at Khagragarh and she underwent

treatment at Sonamukhi hospital. Consequently, if a jurisdiction has been rightly invoked by a particular police station, the same cannot be a ground for transfer of the case to any other court.

Having regard to the contentions advanced in the application for transfer of the proceedings, I am of the opinion that the present case do not create any cause of action for transfer of the proceedings. The learned Additional Sessions Judge in seisin of Sonamukhi Police Station Case No. 41 of 2020 is directed to proceed with the trial of the case as expeditiously as possible.

With the aforesaid observations, the revisional application being CRR 2180 of 2021 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]