

13.12.2023
Serial no. 321
[G.S.D]

CRR 4743 of 2023

In the matter of : Sibani Roy Barman

... .. Petitioner

Mr. A. Chakraborty

... for the Petitioner

Mr. Mirza Firoj Ahmed Begg

... for the State

The petitioner is directed to serve upon Mr. Mirza Firoj Ahmed Begg, Id. advocate, who ordinarily appears on behalf of the State. His appearance may be regularized by the concerned authority.

Ld. advocate for the petitioner has prayed for transfer of the proceedings being Khandaghosh P.S. Case No. 585 of 2023 dated 9.10.2023 under sections 420/406 of the IPC.

Ld. advocate submits that although the case is at the stage of investigation, but, the cause of action did not arise within the jurisdiction of Khandaghosh P.S. for being investigated by them.

According to the Id. advocate, in the formal part of the FIR also, it has been stated that the offence committed is at a distance 102 km of the said police station. I also find

that the allegations in the complaint is stressed on two places one at Khandaghosh and other is within the jurisdiction of Kolkata/Baguihati P.S.

The petitioner has also submitted that she has an ailing mother. On query from this court, the Id. advocate submits that money was never transferred.

I find that there are allegations made in the letter of complaint. It transpires that the allegations against the petitioner are such that she by accepting a sum of Rs.1 lakh 50 thousand, committed to provide a job in the Central Reserve Police Force.

However, thereafter, she entered into an agreement and intended to repay the money. She also issued a cheque of Rs.49,100/- drawn on SBI, Sahara Branch.

The case constitutes multiple jurisdiction. Accordingly, at this stage, I do not think that the petitioner can claim for transfer of the investigation. As such, no interference is made in the present revisional application.

With the aforesaid observations, CRR 4743 of 2023 is disposed of.

Pending application, if any, is also disposed of.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court at Calcutta.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties, subject to compliance with all requisite formalities.

(Tirthankar Ghosh, J.)