

CRR 327 of 2022

**Ruma Banerjee
Vs.
The State of West Bengal & Anr.**

Ms. Arundhati Banerjee
Mr. Kaustav Banerjee ...for the petitioner

Mr. Sattwik Bhattacharya
Mr. Aashutosh Bhattacharya
Mr. Aritra Roy ...for the O.P. no. 2

Ms. Saibal Bapuli, Ld. APP
Mr. Arani Bhattacharya ...for the State

Let the application being CRR 327 of 2022 be detagged from the application being CRR 2128 of 2021.

This is an application under Section 407 and 482 of the Code of Criminal Procedure wherein the petitioner has sought for transfer of G.R. case no. 4830 of 2018 pending before the learned Judicial Magistrate-IV, Barrackpore in connection with Titagarh Police Station case no. 467 of 2018.

It is submitted on behalf of the petitioner that the petitioner continued to attend to the criminal proceeding before the learned court on every date. However, on every occasion, the petitioner was either followed, abused or threatened while she was returning home after the court proceeding from Barrackpore court to her own residence. The petitioner further submits that on one connection, she has also lodged a police complaint in Titagarh Police Station case no. 613 of 2020. She further submits that for such reason, she had to abandon her residential home and has to take up a rented accommodation in the District of South 24

parganas and presently she is residing there along with her daughter. The petitioner further submits that she is aged about 56 years and ailing lady with enormous orthopedic issue. Accordingly, she has prayed for aforesaid transfer.

Learned counsel for the opposite party no. 2 submits that the grounds shown in the transfer application is not cogent and petitioner does not have any reason to pray for such transfer as the opposite party no. 2 had never disturbed her nor the opposite party no. 2 ever threatened her while she attended the court proceeding.

Learned counsel for the State submits that if the petitioner faces any threat or difficulty in attending court proceeding, appropriate order may be passed rendering police assistance to the petitioner and her daughter while they will be required to attend to adduce evidence during trial.

I have considered the submissions made by both the parties. On perusal of the grounds shown in the transfer application, I find that this is not a fit case for allowing the prayer for transfer.

However, as sought for, Bhawanipur Police Station would make an arrangement, so that the petitioner and her daughter do not face any difficulty or impediment while they will appear before court to adduce evidence and to that effect petitioner will give prior intimation at the concerned police station, seeking help.

CRR 327 of 2022 is accordingly disposed of.

Urgent Photostat certified copy of the order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Ajoy Kumar Mukherjee, J.)