

CRR 247 of 2018

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

- A n d -

In the matter of : Kalyan Mukherjee

.... Petitioner.

Mr. Apurba Kumar Datta

... For the Opposite Party.

The learned counsel for the opposite party submits that he is not served with any copy of the revisional application. However, after going through the record in Court, he submits that the instant revisional application is not maintainable.

It appears from the record that the petitioner is not appearing on several occasions.

After going through the revisional application, it appears that the present petitioner is an accused of commission of offence punishable under Section 138 of the Negotiable Instruments Act and the relevant case is pending before the learned Judicial Magistrate, 7th Court, Asansol, Burdwan. By filing the present application, the petitioner has prayed for transfer of the said case from the Court of Asansol to court of Chief Metropolitan Magistrate at Calcutta, since the distance between the residence of the present applicant and the Court at Asansol is about 220 kms. and the to and fro journey between the Asansol Court and his residence will be of 440 kms. The present petitioner is an ailing person and is completely bed-ridden.

It appears from the record that though the petitioner has submitted several medical certificates, but I am unable to gather information about his present health status.

Considering all the aspects, I find that the applicant has failed to convince this Court as to the necessity for transferring the case from the Asansol Court to the court of Chief Metropolitan Magistrate at Calcutta. Accordingly, the revisional application being CRR 247 of 2018 stands dismissed. There shall be no order as to costs.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

Criminal Section is directed to supply certified copies of this order to the parties, if applied for, upon compliance of all necessary formalities.

(Apurba Sinha Ray, J.)