

**CRR No. 1259 of 2024**

In the matter of :        Deepjyoti Banerjee. .... petitioner.

Mr. Deepjyoti Banerjee                ... the petitioner (in person).

Mr. Prasun Dutta  
Ms. Pallavi Priyadarshee                ...for the State.

Mr. Sunny Nandy  
Mr. Aditya Mondal  
Mr. T. S. Roy                                ...for the opposite party.

Report submitted by the State is taken on record.

Heard learned counsels for the parties.

The petitioner appearing in person seeks transfer of the proceeding being GR Case No.972 of 2020 pending before the learned Metropolitan Magistrate (presently redesignated as the Judicial Magistrate), 17<sup>th</sup> Court, Calcutta, wherein he is the de facto complainant.

The petitioner submits that since the private opposite party who is an accused in the said proceeding is a practising advocate of the Bankshal Court and member of the Executive Committee of the Bar, the petitioner is being resisted from appointing an advocate of his choice and has also been assaulted in the Court premises, as a result of which he is unable to pursue the case before the learned Magistrate.

Learned counsel for the private opposite party denies and disputes the submission made by the petitioner.

Upon consideration of the submission made by the parties, this Court is of the view that since according to the petitioner he is unable to pursue the case before the learned Magistrate effectively and is allegedly resisted from appointing an advocate of his choice to represent him in the said matter, the case being GR Case No.972 of 2020 along with all applications be transferred to the Learned Judicial Magistrate, Alipore, South 24 Parganas within one month from the date of communication of this order for trial in order to enable the petitioner to represent himself in the said case, in accordance with law.

The learned Chief Judicial Magistrate shall either deal with the matter himself or transfer the same to any other learned Judicial Magistrate within the same jurisdiction for trial.

The petitioner submits that he has filed a Narazi petition before the learned Trial Court, which is pending. The said petition shall obviously be transferred to the transferee Court along with the case record.

The revisional application being CRR 1259 of 2024 is disposed of.

Case Diary be returned.

Urgent certified website copy of the order, if applied for, be given to the parties on compliance of requisite formalities.

**( Suvra Ghosh, J. )**