

30.01.2024
Serial no. 6
[G.S.D]

CRR 2097 of 2023

In the matter of : Pranab Kumar Choudhury

... .. Petitioner

Mr. S. Maity

... for the petitioner

The petitioner has prayed for transfer of the proceedings of Suti P.S. Case No. 518 of 2021 under sections 417/420/406 of the IPC.

The grounds for transfer which has been advanced relate to his health condition including the age old ailments.

Having regard to the contentions so advanced on behalf of the petitioner, I am of the view that the medical ailments can be a ground for dispensation of personal appearance of the accused in the day to day proceedings of the court, if he is represented through an advocate when the case is taken up by the Id. Magistrate on an undertaking as required by the court.

Having regard to the same, I am of the view that if the petitioner files an application under section 205 of the cr.p.c. with an appropriate affidavit, as is required under the law, then, in that case, the Id. trial court would consider the same in the background of the age and the medical ailments of the present petitioner.

As no ground of transfer is made out in the present application, the prayer so advanced for transfer is not interfered with.

The petitioner would approach the Id. jurisdictional court in tune with the direction made above, if so advised.

With the aforesaid observations, CRR 2097 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, 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.)