

CRR No. 2349 of 2024

In the matter of : Bubai Biswas @ Rahul Dutta
..... petitioner.

Mr. Shibaji Kr. Das
Mr. Samrat Chowdhury
Mr. Dipendu Sarkar
Ms. Deblina De ...for the petitioner.

Mr. Debasish Roy
Ms. Sreyashee Biswas ...for the State.

Report submitted by the State is taken on record.

None appears for the private opposite party despite service.

The petitioner seeks transfer of GR Case No.1454 of 2013 pending before the learned Judicial Magistrate, 2nd Court, Barasat, North 24 Parganas to the Court of the learned Additional Sessions Judge, 7th Court, Barasat on the ground that the GR Case and Sessions Trial No.1(11) of 2013 pending before the learned Additional Sessions Judge, 7th Court pertain to the same allegations, the FIR of the GR being lodged by the daughter and the FIR of the Sessions case being lodged by the mother.

In view of the fact that both the FIRs pertain to similar allegations against the petitioner, both the matters ought to be considered by the learned Additional Sessions

Judge, 7th Court, Barasat in order to avoid conflict of decisions.

In view of the above, the revisional application being CRR 2349 of 2024 is allowed.

GR Case No.1454 of 2013 pending before the learned Judicial Magistrate, 2nd Court, Barasat be transferred to the Court of learned Additional Sessions Judge, 7th Court, Barasat for trial along with Sessions Trial No.1(11) of 2013.

The learned Magistrate is directed to send the case record of GR Case No.1454 of 2013 to the learned Additional Sessions Judge, 7th Court, Barasat within one week after the ensuing annual vacation.

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

(Suvra Ghosh, J.)