

CRR No. 4303 of 2024

In the matter of : The State of West Bengal
..... petitioner.

Mr. Debasish Roy
Ms. Sanjana Saha ...for the petitioner/State.

Mr. Arindam Jana
Ms. Shanta Sarkar ...for the opposite party no.5.

Md. Hafiz Ali ...for the opposite party nos.1,3,4 & 6.

The 2nd opposite party does not appear despite service.

Heard learned counsels for the parties.

The petitioner/State seeks transfer of the proceedings of GR. Case No.1885 of 2023 pending before the learned Additional Chief Judicial Magistrate, Kandi, Murshidabad to any court of competent jurisdiction in Calcutta.

Learned counsel for the petitioner submits that the allegation against the opposite party nos.1, 3 & 6 is that they forged and manufactured orders of this Court and procured bail from the learned Additional Chief Judicial Magistrate, Kandi.

In course of investigation it revealed that opposite party nos.2, 4 & 5 were the principal minds in such

forgery. Since the 5th opposite party is the erstwhile Secretary of Kandi Bar Association, it is difficult for the prosecution to conduct trial before the Kandi Court without obstruction.

Learned counsel for the petitioner further submits that the learned Trial Court has also filed an application before this Court seeking transfer of the case to any other Court.

Upon consideration of the submission made on behalf of the parties, the proceeding of GR Case No.1885 of 2023 pending before the learned Additional Chief Judicial Magistrate, Kandi, Murshidabad be transferred to the Court of the learned Chief Judicial Magistrate, Calcutta for trial.

The learned Additional Chief Judicial Magistrate, Kandi is directed to transmit the case record along with annexure thereto to the Court of the learned Chief Judicial Magistrate, Calcutta within ten days from the date of communication of this order.

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

Accordingly, the revisional application being CRR 4303 of 2024 is allowed.

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

(Suvra Ghosh, J.)