

17.12.2024  
Item. 23  
BR

**CRR 5026 of 2023**  
**With**  
**IA No. CRAN 1 of 2024**  
**Biswajit Sarkar**  
**-vs-**  
**The State of West Bengal and Ors.**

Mr.Moyukh Mukherjee ,  
Ms. Sagnika Banerjee,  
Ms. Sarmistha Basak  
.. for the petitioner

Mr. Dhiraj Trivedi, Sr. Adv.,DSG,  
Mr. Amajit De, Spl.PP. CBI  
... for the CBI

Report as called for has been placed by the Central Bureau of Investigation. The Investigating Officer in the present case is also present.

The present revisional application has been preferred praying for transferring of the case being ST: 01(02)2023 arising out of Narkeldanga P.S. Case No. 124 of 2023 dated 2.05.2023 under Section 307/34 of the Indian Penal Code and Narkeldanga P.S. Case no. 126 of 2021 dated 3.05.2023 under Section 341/323/506/34 of the Indian Penal Code from the Court of Learned Additional District Judge, 1<sup>st</sup> Court, Sealdah to any other Court within the jurisdiction of the State of West Bengal.

It appears from the report that the matter for transfer was sub-judice before the Hon'ble

Supreme Court of India. Vide order dated 20.09.2024 the Court disposed of the Transfer Petition preferred by CBI as withdrawn with liberty to file a fresh Transfer Petition(s) and accordingly the CBI has submitted that the Court may pass any order as deems fit and proper.

Learned counsel for the petitioner submits that the proceedings can be transferred to any other Court even within the jurisdiction of Kolkata.

Accordingly, on hearing the learned counsel for both sides and considering the materials on record the proceedings in Narkeldanga P.S. Case No. 124 of 2023 dated 2.05.2023 under Section 307/34 of the Indian Penal Code and Narkeldanga P.S. Case no. 126 of 2021 dated 3.05.2023 under Section 341/323/506/34 of the Indian Penal Code pending before the Court of Learned Additional District Judge, 1<sup>st</sup> Court, Sealdah is withdrawn through the learned District Judge, North 24-Parganas and is transferred to the file of learned Chief Judge, City Sessions Court, Calcutta.

The learned Chief Judge, City Sessions Court, Calcutta is at liberty to transfer the case to any other competent Court under his jurisdiction or retain the record before it, for disposal.

The revisional application is accordingly disposed of.

All applications connected thereto stand disposed of.

Interim order, if any, stands vacated.

Let a copy of the order be sent to the learned trial Court for compliance.

Appearance of the Investigating Officer is dispensed with.

Urgent Xerox certified copies of this order, if applied for, shall be supplied to the learned counsel for the parties as expeditiously as possible, in compliance of usual formalities.

**( Shampa Dutt (Paul), J. )**