

03.05.2024
Court No.01
Item No. 25
OP

**CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT JALPAIGURI**

ar

CRM (DB) 169 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure.

In Re: **Md. Azaharuddin @ Rajbir Chowdhury @ Babu**
Petitioner

Mr. Anirban Banerjee

For the Petitioner

Mr. Sudipto Kumar Mazumdar, Ld. DSJI
Mr. Ajoy Kumar Singhanian

For C.B.I

1. At the very outset Mr. Sudipto Kumar Mazumdar, learned DSJI, has handed over a photo copy of the Notification dated 04.04.2023 issued by Judicial Department, Government of West Bengal whereby the Court of Chief Metropolitan Magistrate or Additional Chief Metropolitan Magistrate, 2nd Court, Calcutta has been designated for trial of chit fund cases.
2. It is submitted by Mr. Mazumdar that in view of such Notification, the case record, which is pending before the learned Chief Judicial Magistrate, Jalpaiguri, is supposed to be transferred to the designated Court. It is also submitted by Mr. Mazumdar that appropriate steps would be taken for transfer of the said case before the said designated Court.
3. At this stage learned counsel for the petitioner seeks liberty to withdraw the application.

4. In view of lack of territorial jurisdiction, the prayer for withdrawal of the instant application is considered and allowed.
5. CRM (DB) 169 of 2024 is thus disposed of as withdrawn.
6. Before parting with learned District Judge, Jalpaiguri is requested to take appropriate steps for drawing notice to the learned Chief Judicial Magistrate, Jalpaiguri for transfer the case record to the designated Court preferably within a week from date.
7. Registrar, Circuit Bench at Jalpaiguri is directed to communicate this order to the learned District Judge and the Trial Court forthwith.

(Soumen Sen, J.)

(Partha Sarathi Sen, J.)