

30.05.2025
Sl. No.44
akd/AP

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

C. R. R. 457 of 2025

In Re: ***Bibekananda Ray***

... Petitioner

Mr. Shibaji Kumar Das
Ms. Sharmistha Das

... for the petitioner

1. The instant criminal revisional application has been filed by the petitioner under Section 482 read with Section 401 of the Code of Criminal Procedure corresponding to Section 528 read with Section 442 of the Bharatiya Nagarik Suraksha Sanhita, 2023 being aggrieved by the order dated 06.01.2025 passed by the Court of the learned Chief Judicial Magistrate, North 24-Paraganas at Barasat in connection with C.M.C. No.25 of 2023 whereby the learned Chief Judicial Magistrate rejected the prayer of the petitioner for transferring Case No. C-517 of 2017 filed under Section 12 read with Section 23(2) of the Protection of Women from Domestic Violence Act, 2005 pending before the court of the learned Judicial Magistrate, 1st Additional Court, Basirhat, Dist. North 24-Parganas to the court of the learned Chief Judicial Magistrate, North 24-Parganas at Barasat.

2. Learned Advocate representing the petitioner submitted the petitioner had been apprehensive of being assaulted and humiliated by the opposite party no.2-wife and her relatives during his entry into the court premises at Basirhat in connection with Case No. C-517 of 2017 and accordingly, had prayed for transfer of the said case within the jurisdiction of the District of North 24-Parganas at Barasat since a Matrimonial Suit bearing No.2779 of 2018 as well as an application under Section 125 of the Code of Criminal Procedure in connection with a maintenance case bearing No. M-304 of 2017 were pending within the

jurisdiction of the district court of North 24-Parganas. It was further submitted that the opposite party-wife attended both the proceedings, as aforesaid, pending within the premises of the District Court at North 24-Parganas.

3. Under such circumstances, it would be conducive and convenient for both the parties if the proceeding being Case No. C-517 of 2017 be transferred to the court of the learned Chief Judicial Magistrate, North 24-Parganas at Barasat for its adjudication either through itself or by transferring the said proceeding to any other court of the Judicial Magistrate of competent jurisdiction.

4. Let a copy of this order be communicated to the concerned court by 10.06.2025 for appropriate measures to be taken.

5. CRR 457 of 2025 is accordingly, disposed of.

(Ananya Bandyopadhyay, J.)