

18.02.2025
rc/ct.no.34
Item No.19

CRR No. 1875 of 2024

In the matter of : Chandra Das Chakraborty
.....Petitioner

Mr. Jayanta Narayan Chatterjee	
Ms. Sreeparna Ghosh	
Ms. Ritushree Banerjee	...for the Petitioner
Mr. Tapodip Gupta	...for the O.P.Nos.2&3
Mr. Debasish Roy, Ld. P.P.	
Mr. Saryati Dutta	
Ms. Kanchan Roy	for the State

The petitioner seeks transfer of Sessions case no. 10 of 2023 pending before the learned Additional Sessions Judge, 1st Court, Lalbagh, Murshidabad and G.R.Case No. 3044 of 2022 pending before the learned Additional Chief Judicial Magistrate, Lalbagh, Murshidabad to any other sessions division of the district, preferably to Berhampur on the ground that the opposite party nos. 2 and 3 being politically influential persons, the petitioner is unable to conduct the cases before Lalbagh Court. The petitioner presently resides in Berhampur whereas the private opposite parties are residents of Lalbagh.

Learned counsel for the private opposite party nos. 2 and 3 raises objection.

Learned counsel for the State seeks necessary order.

It appears that on an application made by the petitioner before the learned Sessions Judge, Murshidabad for transfer of both the cases to the learned Additional Sessions Judge, Berhampur, learned Sessions Judge, by an order passed on

January 30, 2024 directed transfer of G.R.Case No. 3044 of 2022 to the learned Additional Sessions Judge, Fast Track, 2nd Court, Lalbagh, Murshidabad for disposal along with the Sessions case pending before the said learned Court. The learned Sessions Judge has held that both the cases ought to be tried together.

Upon consideration of the submission made on behalf of the parties and material on record, this Court is of the view that since the petitioner is unable to conduct the cases before the Lalbagh Court on account of reasons stated by her, it shall be in the interest of justice to transfer both the cases pending before the learned Additional Sessions Judge, Fast Track, 2nd Court, Lalbagh, Murshidabad to the learned Sessions Judge, Murshibadad at Berhampur.

Learned Additional Sessions Judge, Fast Track, 2nd Court, Lalbagh, Murshidabad is directed to transmit the case records along with annexure thereto to the learned Sessions Judge, Murshibadad at Berhampur within one month from the date of communication of this order.

The learned Sessions Judge, Murshibadad at Berhampur shall either deal with the cases himself or assign the same to an appropriate Court under his jurisdiction for disposal.

CRR No. 1875 of 2024 is disposed of accordingly.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh,J)

