

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION
Appellate Side**

Present:

The Hon'ble Justice Ajay Kumar Gupta

C.R.R. 1628 of 2015

Sandeep Sanar

Versus

The State of West Bengal and Ors.

Taken up on : 02.09.2025

Judgment on : 02.09.2025

Ajay Kumar Gupta, J:

1. The instant application has been filed under Section 407 of the Code of Criminal Procedure, 1973, praying for transfer of proceeding of Sessions Case No. 92(8) of 2014, now pending before the Court of the learned Additional Sessions Judge, 1st Court at Siliguri under Sections 498A/304B/34 of the Indian Penal Code read with Section 3/4 of the Dowry Prohibition Act, 1961 arising out of Siliguri Police Station Case No. 275 of 2014 dated

03.04.2014 being G.R. Case No. 930 of 2014 to the Court having competent jurisdiction which is within the district of Alipurduar.

2. None appears on behalf of either of the parties.

3. No accommodation is sought for. Even on the earlier occasion, none appears on behalf of either of the parties.

4. This case pertains to year 2015, almost 10 years have already been elapsed.

5. Considering the nature of prayer and long pendency of this instant case, this Court preferred to decide the matter on the basis of materials available on record.

6. This instant application has been filed on the ground that the accused Arunava Paul is member of Siliguri Bar Association and is practicing advocate at Siliguri and OP No. 3 was a retired DSP, very influential person and they may influence the local witnesses and, therefore, there is every possibility, a proper justice cannot be done. Therefore, for fair and impartial trial of the case, this case may be transferred to the Court having competent jurisdiction within the district of Alipurduar for proper and effective disposal of the case otherwise the petitioner will suffer greatly and highly prejudice.

7. Considering the grounds stipulated in the application, this Court does not find any valid ground that the witnesses may

be influenced and Court cannot decide the case on merits. Only on apprehension, such grounds cannot be tenable for transfer of the case from one Court to another.

8. There is no such direct allegation against them. Even if case transfer, how the petitioner can say that situation will not arise in another Court. Furthermore, this case is pending since 2015. By passage of time, it seems the petitioner is no more interested in pursuing the instant case. Hence, none represented the petitioner. Nothing remains to be adjudicated further in this case.

9. In view of the above backdrop, **CRR 1628 of 2015** is, thus, **dismissed**.

10. Connected applications, if any, are also, thus, disposed of.

11. Interim orders, if any, stand vacated.

12. Let a copy of this judgment be communicated to the Trial Court for information and taking necessary steps.

13. All the concerned parties shall act on the server copy of this judgment duly downloaded from the official website of this Court.

14. Urgent Photostat certified copy of this judgment, if applied for, is to be given to the parties as expeditiously upon compliance of all legal and necessary formalities.

(Ajay Kumar Gupta, J)

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