

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

24.09.2024
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C.R.R. No. 3288 of 2024

In Re : An application under Section 482 of the Code of Criminal Procedure.

In Re : Smt. Bipasha Dasgupta (Choudhury)
.....petitioner

Mr. Debasis Kar
Ms. Jagori Mitra

..... for the petitioner

1. Learned Counsel for the petitioner submits proceeding under Section 12 of the Domestic Violence Act which is pending before 2nd court of the learned Judicial Magistrate, Barasat, be transferred to any court of competent jurisdiction at Barasat.

2. By an earlier order the case had been transferred from the 4th court of learned Judicial Magistrate, Barrackpore to the court of learned Judicial Magistrate, Barasat at the behest of the opposite party/husband. The order was not challenged by the petitioner. Subsequently petitioner made application before the learned Chief Judicial Magistrate seeking transfer of the proceeding. Though the application has not been annexed it is pleaded in the petition that the learned Magistrate had made adverse comments against the petitioner and did not record her deposition correctly. However, nothing is placed on record to show that these facts were brought before the notice of the learned Magistrate. Whenever

accusations are made against the court it is duty of a party to place the grievances immediately before the said court for consideration. No such effort was made.

3. Under such circumstances I am of the opinion grievances expressed by the petitioner in the petition have been manufactured to justify transfer of the proceeding. The effort was rightly snubbed by the learned Chief Judicial Magistrate. I find no reason to set aside the order impugned or to accede to the prayer of transfer the petitioner.

4. In view of the aforesaid discussion, the revisional application is dismissed.

5. Urgent photostat certified copy of this order, if applied for, shall be given to the parties as expeditiously as possible on compliance of all necessary formalities.

(Joymalya Bagchi, J.)