

25.06.2026
Item No.10
Ct. No. 34
nb

CRR 1777 of 2026

In the matter of: **Smt. Amrita Mukherjee (Roy) & Anr.**
..... Petitioners.

Mr. Kallol Basu, Sr. Adv.
Mr. Suman Banerjee,
Ms. Shreejita Sen

.... For the Petitioners.

Mr. Soumik Ganguli,
Ms. Priti Barwan,

..... For the O.P.

1. This application has been filed the in connection with Session Case No.125of 2018 for transfer from the file of the learned Additional Sessions Judge 1st Court, Bankura to the file of the learned Sessions Judge, South 24 Parganas.
2. It is submitted by Mr. Kallol Basu, learned advocate representing the petitioner that the marriage of the present petitioner and the opposite party was solemnized on 24.12.2009 according to the Hindu Rites and Customs and they were blessed with one son, who is presently aged about 13 years. Later on marital discord arose by and between the parties and several proceedings were filed by the wife including the present proceeding under Section 498A/325/342/307/506/34/406 IPC against the husband and in laws.

3. It is the specific case of the present petitioner that when the proceeding was filed she used to reside at Bankura but for the present, she has shifted and residing at her father's house at flat 2B, 2nd Floor, 136, Purba Sinthee Bye Lane, Post Office - Ghugudanga, Kolkata-700030 along with her parents and minor son.

4. It is the further case of the petitioner that her parents are aged about 70 years 67 years respectively and the son is aged about 13 years is also residing with her and has been admitted in a local school studying at Class - VI. The father of the applicant/petitioner is suffering from Cardiac problem and Diabetes and is going under regular treatment. The mother is also a Cardiac patient and needs regular check up. The present resident is more than 211 KM from Bankura and it causes severe inconveniences to attend the Court on the date of hearing before the Family Court. It is her contention that in order to reach the Court at Bankura she has to come to Bandel by train and to take another train to Durgapur and then to take a bus for which she has to start her journey at 5 AM and reached at 11 AM. That apart, she returns home at around 11.30 PM after changing two trains from different places. She suffered severe anxiety because if she misses out any of the train she would not be able to reach home when the aged parent and minor son are there in her house.

5. Therefore, it is extremely difficult and inconvenient to attend the hearing before the Learned Court at Bankura and hence, prayed for transfer of the case from that Court to the court situated to any Court of Learned District Judge, 24 Parganas, South.

6. Per contra, the Learned advocate, Mr. Soumik Ganguli representing the Opposite Party husband raises vehement objection and submits that for long 9 years the criminal proceedings were pending before the Bankura Court including the other proceedings filed under Section 125 Cr.P.C filed by the present petitioner and now when the trial of the Session case is on the verge of conclusion she has come with the prayer for transfer only to harass the husband. It is further submitted that transfer of the case from the court at Bankura to the District Judge, 24 Parganas South would cause severe hardship to the petitioner, who is also a service holder and having his parents, whom he has to maintain.

7. Having heard the rival contention and on going through the materials on record it is apparent that on the strength of a complaint lodged by the petitioner against the opposite party no 2 and others with the allegation of committing the offences as above the session trial was commenced and is pending since 2017. From the record also it transpires that charge has been framed under Section 307 IPC against the opposite party no. 2 and under Section 498A against the other

family members on 27.11.2017 subsequently trial commenced and almost on the verge of completion .

8. The ground of transfer, as assailed mostly rests on account of change of the address of the petitioner/ wife, who has shifted her place of residence from Bankura to Sinthi, 24 Parganas, North at her father's house. It is settled proposition of law that the inconvenience of the parties including the witnesses to be produced before the Court to be the relevant consideration while dealing with a transfer proceeding but in view of the fact that the Session case is on the verge of completion this court is not inclined to allow the prayer of the petitioner only considering her inconvenience as it would cause further delay in disposing of the Session Trial.

9. However keeping in mind the inconvenience as narrated in her petition of transfer this court is of the opinion that in order to avoid delay in judicial proceeding due to non-availability of the parties, advocates, witnesses and accused physically the video conferencing Rule is notified on 16.4.2026 where vey specially mentioned when and how the litigant can adduce evidence virtually and hence it is a fit case where the petitioner can avail such benefit . Accordingly liberty is given to the petitioner to attend the court of Learned Additional Session Judge Bankura from the remote point that is from the office of District legal aid Services Authority, Alipore 24 parganas South or from the VWDC if

started functioning in that court premises. This can save the time of the petitioner as well would be convenient for all.

10. Accordingly, this revisional application stands allowed in part with the above observation. Petitioner is given liberty to approach the Secretary, DLSA 24 parganas South who will ensure necessary compliance to facilitate her to adduce evidence or to appear before the Court at Bankura virtually on the date and time to be fixed by the Learned Session Court, Bankura .

11. Let a copy of this order be sent to both the Learned District Judge, Bankura as well as the District Judge 24 parganas south for information and necessary compliance.

12. All parties shall act on the server copies of this order duly downloaded from the official website of this Court.

(CHAITALI CHATTERJEE (DAS), J.)