

31.03.2026
Sl. no. 55
Ct. No. 42
P.M.

CRR 4896 OF 2025
Smt. Sneha Goswami
- Vs -
The State of West Bengal & Ors.

Mr. Chittapriya Ghoshy
Mr. Sabyasachi Roy Chowdhury,
Mr. Kuntal Roy
... for the petitioner
Mr. Akash Sarkar
... for the opposite party
Mr. Bidyut Kumar Roy, sr. adv.
Mr. Kunal Ganguly
... for the State

1. Present petition has been filed for transfer of G.R. Case No. 1012 of 2017 arising out of Chakdaha Police Station Case No. 495 of 2017 dated 13.08.2017 under Sections 498A/506/34 of the Indian Penal Code and section 3/4 of the Dowry Prohibition Act from the court of learned Additional Chief Judicial Magistrate, Kalyani to any court of competent jurisdiction at Barrackpore under the District Judge of Barrackpore.
2. Learned counsel for the petitioner submits that all other proceedings between the parties are pending at Barrackpore Court.
3. Learned counsel submits that on account of jurisdiction the complainant/wife lodged the complaint with the Chakdaha Police Station. However since she is residing within the jurisdiction of

Barrackpore court it would be in interest of justice if the trial of the G.R. Case No. 1012 of 2017 is transferred to the competent court of jurisdiction at Barrackpore.

4. Learned counsel for the opposite party No. 2, 3 and 4 has opposed the request primarily on the ground that opposite party No. 3 and 4 are the senior citizens and they are resident of the jurisdiction falling Police Station Chakdaha and if the trial is transferred to Barrackpore they would be put to inconvenience. Learned counsel has also raised two issues of jurisdiction.
5. The court has considered the submissions. Admittedly all other proceedings between the parties are being tried at Barrackpore Court.
6. The present case arises out of the complaint filed by the petitioner/wife. The court considers that no prejudice would be caused to either of the parties if the trial is ordered to be shifted to the competent jurisdiction at Barrackpore. However in order to balance the interest, the physical presence of opposite party No. 3 and 4 is exempted through the counsel before the competent court of jurisdiction of Barrackpore in present proceedings arising out of G.R. Case No. 1012 of 2017. The opposite party No.

3 and 4 shall be directed to appear in person, if their personal presence is necessary for recording the evidence or for identification by the learned Trial Court. On all other dates their presence shall be exempted through the counsel.

7. The G.R. Case No. 1012 of 2017 is transferred from the Court of learned Additional Chief Judicial Magistrate, Kalyani to the Court of competent jurisdiction to be determined by the learned Chief Judicial Magistrate, Barasat.
8. Transferee Court is directed to send the entire matter to the transferer Court.
9. This petition stands disposed of.
10. Urgent photostat certified copy of this order, duly applied for, be given to the parties upon compliance of all usual requisite formalities.

(Dinesh Kumar Sharma, J.)