

Criminal Revision No. 35 of 2025

CNR No. WBCS01-000077 of 2025

Present: Smt. Shrutirupa Ghosh (Majee)

Ld. Additional District & Sessions Judge

2nd Fast Track Court, Bichar Bhawan, Calcutta

Order No. 10 dated 19. 09. 2025:-

Petitioner/revisionist present by filing hazira.

Opposite Parties No. 1 and 2 present by filing respective hazira.

One petition is filed by the Revisionist communicating to this Court that the instant Criminal Revision application is under the active consideration of the Hon'ble High Court, Calcutta on the basis of complaint dated 05. 08. 2025 filed by the petitioner/revisionist. The revisionist has prayed for taking necessary steps in accordance with law and pass necessary order for the interest of natural justice. Copy of the communication to the petitioner/revisionist by the Registrar, City Sessions Court, Calcutta has been annexed with the petition.

Copy not served upon the Opposite Parties.

Copies of the petition have been annexed along with the petition.

Let the petition and copies be kept with the record.

Today is fixed for passing order.

I had completed hearing of both sides at length in full on 04. 08. 2025. However, subsequently, I was asked to submit a report in connection with a complaint allegedly filed by the petitioner/revisionist of the instant case relating to propriety of a Judicial Order passed by this Court and accordingly, I submitted my report on 14. 08. 2025 before the Hon'ble High Court, Calcutta through the Ld. Chief Judge, City Sessions Court, Calcutta, although the revisionist did not move before any higher forum judicially being aggrieved against any order passed by this Court.

In this context, I want to rely upon the observation made by Hon'ble Justice Biswajit Basu of Hon'ble High Court, Calcutta while releasing a case, "This is an embarrassing situation deeply affecting the dignity of the Court..... when a party fails to repose confidence in this Court it is better to release it as Justice must not only be done, but must also be seen to be done".

Importing the observation of the Hon'ble Court, my Judicial conscience and ethics and morality do not permit me to pass any order only at the behest of mere judicial function.

Continuation of Order No. 10 dated 19. 09. 2025 :-

A Judge while hearing and passing any judgment or order firstly is answerable to his/her conscience. The present petitioner/revisionist has intimated this Court that the instant Criminal Revision Application is under active consideration of the Hon'ble High Court, Calcutta on the basis of complaint dated 05. 08. 2025 submitted by the petitioner/revisionist. When a party before the Court shows even a bit of lack of confidence upon a Judge in whatever form or mode or manner it may be, the sole duty of the Judge shall be to recuse himself/herself from hearing or passing any order in the said matter.

Having regard to the solemn sovereign function with all dignity, I recused myself from further hearing and passing any order in this case.

In my administrative capacity, I write to Ld. Chief Judge, City Sessions Court, Calcutta to withdraw the case record from my Court as I recused myself from hearing and passing any order in the instant Criminal Revision case.

On the other hand, both parties are given liberty to move the matter before Ld. Chief Judge, City Sessions Court, Calcutta judicially/administratively to withdraw the case record from my Court.

Fix **18. 11. 2025** for bringing order from the Ld. Chief Judge, City Sessions Court, Calcutta.

BC-I to inform both parties and their Ld. Advocates.

Dictated & Corrected by me.

Addl. Dist. & Sessions Judge
(WB-00821)
2nd Fast Track Court, Calcutta
19. 09. 2025.

Addl. Dist. & Sessions Judge
(WB-00821)
2nd Fast Track Court, Calcutta
19. 09. 2025.