

05.05.2026

Ct. No. 34

Sl. No. 22
akd

In the High Court at Calcutta
Criminal Revisional Jurisdiction

C. R. R. 1702 of 2026

In Re: ***Prasun Kumar Chatterjee***

... Petitioner

Mr. Samiran Mandal
Mr. Abhinaba Das

... .. for the petitioner

1. This revisional application under Section 447 read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 has been filed for transfer of Asansol Cyber Crime Police Station Case No. 64 of 2024 dated 28.07.2024 pending before the Court of the learned Chief Judicial Magistrate, Paschim Bardhaman (Asansol).

2. Learned Advocate for the petitioner submits that the opposite party no.2 is a practicing Advocate of the Sub-Divisional Court at Durgapur and District Court at Asansol and he is representing the petitioner's ex-wife in connection with a maintenance proceeding and a resolution has been taken by the Asansol District Advocate Bar Association (unwritten) prohibiting any of its members to represent the petitioner in this case. Learned Advocate also submits that because of such resolution taken, as has been intimated to the present petitioner, this revisional application has been filed for transfer of the proceeding. It is submitted on behalf of the petitioner that the petitioner was compelled to be represented by his sister viz. Smt. Aparna Chattopadhyay, who is a practicing Advocate of the District Court of Bankura, in the given scenario, which would be difficult to be continued.

3. Considering the facts and circumstances of this case, this Court is of the opinion that a prima facie and arguable case has been made out

by the petitioner and he must be given an opportunity to be represented by an Advocate.

4. Accordingly, petitioner is directed to effect service upon the opposite party no.1 through the learned Public Prosecutor, High Court, Calcutta and upon the opposite party no.2 through Registered Speed Post with Acknowledgment Due and file affidavit-of-service on the next date of hearing.

5. List the matter on **08.06.2026** under the heading 'Contested Application'.

6. In the meantime, let there be a stay of all further proceedings in connection with Asansol Cyber Crime Police Station Case No. 64 of 2024 dated 28.07.2024 under Section 66/66C/66D/66E/67/67A of the Information Technology Act, 2000 and Sections 351/356(2) of the Bharatiya Nyaya Sanhita, 2023 corresponding to G.R. Case No. 2333 of 2024 till 08.06.2026 or until further orders, whichever is earlier.

7. Liberty is given to the parties to apply for extension and/or modification and/or variation of this order upon notice to the other side.

8. All parties are to act on a server copy of this order duly downloaded from the official *website* of this Court.

[Chaitali Chatterjee (Das), J.]