

23.03.2026
Sl. no. 29
Ct. No. 42
P.M.

CRR 1911 OF 2025
Sk. Tejamul Mirdra
- Vs -
The State of West Bengal & Anr.

Mr. Pallab Mohan Chakraborti
... for the petitioner.

1. Present petition has been filed challenging the order dated 18th July, 2023 whereby learned Chief Metropolitan Magistrate at Calcutta has taken cognizance of the offence and transfer the matter to learned Metropolitan Magistrate, 19th Court.
2. Learned counsel for the petitioner submits that the petitioners that the accused persons in the criminal complaint were reside of beyond jurisdiction of learned Chief Metropolitan Magistrate, Calcutta and, therefore, enquiry under Section 202 of Cr.P.C. was mandatory.
3. Learned counsel submits that no enquiry under Section 202 Cr.P.C. was carried out. Reliance has been placed upon National Bank of Oman Vs. Barakara Abdul Aziz & Anr. in 2013(2) Supreme Court Cases 488.
4. Issue notice to the State of West Bengal service through the office of the learned Public Prosecutor. Opposite party No. 2 be also served.

5. Affidavit of service be filed.
6. List this matter in the combined monthly list of June, 2026.
7. In the meanwhile proceedings in C.S. 72796 of 2023 shall remain stayed till the next date of hearing.

(Dinesh Kumar Sharma, J.)