

**19**  
13.04.2026  
Court. No.6  
T.O.

**IN THE HIGH COURT AT CALCUTTA  
CIRCUIT BENCH AT JALPAIGURI**

**CRR/98/2026**

**RUDDRAKHYA GHOSH  
VS  
THE STATE OF WEST BENGAL**

*Mr. Ujjal Ray, Adv.*

*... for the petitioner.*

*Mr. Debasish Mukhopadhyay, Adv.*

*Ms. Madhushri Dutta, Adv.*

*Ms. Srishti Sarkar, Adv.*

*Ms. Bipasha Mrug, Adv.*

*... for the de facto complainant.*

*Mr. Nilay Chakraborty, Ld. APP*

*Mr. Tapan Bhattacharjee, Adv.*

*... for the petitioner.*

1. This is an application for setting aside the Order No. 10 dated 24.02.2026 passed in G.R. Case No. 637 of 2024 under Sections 498A/307/506/406 of I.P.C. pending before the Learned CJM, Cooch Behar.
2. In terms of the Order dated 29.07.2025 a Co-ordinate Bench of this High Court directed the present petitioner to return to the Country within

48 hours and to deposit his passport before the Officer-in-Charge of the Women Police Station (S), Cooch Behar. It was further directed that the passport would not be returned to the applicant without obtaining the order from the Trial Court where the proceedings is pending.

3. The Trial Court, namely, the Court of Chief Judicial Magistrate, Cooch Behar in terms of the Order dated 24.02.2026 refused to return the passport on the ground that the matter is exclusively triable by the Court of Sessions. It was submitted by the Learned Public Prosecutor that the matter is kept in abeyance and there was no commitment of the case to the Sessions Court.
4. I have heard rival submissions.
5. This application is disposed of passing direction to the Learned Chief Judicial Magistrate, Cooch Behar to commit the matter to the Sessions Judge within three days from the date of communication of this order. Secondly, the Sessions Judge, the case being so committed, shall take cognizance of the matter within seven days and shall consider the merit of the application for return of passport, if so made before him.

6. This order may be immediately communicated to the Trial Court.
7. Heard Learned Counsel for the State as well as the Learned Counsel for the *de facto* complainant. Both the Counsels have objected to.
8. Copy of this order may be communicated forthwith by the Learned Registrar to the concerned Court.

**(Sugato Majumdar, J.)**