

29.09.2020
Item no. 6
Ct. No.19
CHC

**C.R.R. No.1356 of 2020
C.R.A.N. 1 of 2020
(Via Video Conference)**

In Re:- An application under Section 483 of the Code of Criminal Procedure.

And

In the matter of:-
Sohini Majumder
... Petitioner

Ms. Puja Goswami,
Mr. Soham Banerjee
... for the petitioner

Petitioner undertakes to affirm and stamp the petition/application as per Rules within one month of resumption of normal functioning of the Court. Subject to such undertaking, the application is taken up for hearing through video conference.

The application bearing C.R.A.N.1 of 2020 is disposed of.

Learned advocate for the petitioner seeks expeditious disposal of a proceeding under Section 125 Cr.P.C. registered as M. Case No.202/19 now pending before the Learned Judicial Magistrate, 1st Court, Barasat, North 24 Parganas.

It is submitted by the learned advocate for the petitioner that petitioner has been driven out from her matrimonial home

after subjecting her to torture, neglect and refusal. The petitioner has no sufficient means to support herself. After filing of this maintenance case in the year 2019, petitioner has also filed a prayer for ad interim maintenance, which is awaiting adjudication by the trial court. In course of hearing it is brought to the notice of the Court that the presence of the opposite party/husband could not be secured in the case record. The trial court has already fixed the matter for *ex parte* disposal of the maintenance proceeding. Since an innocuous direction has been sought for as regards expeditious disposal of the pending maintenance proceeding, the Court is of the view that no prejudice will be caused to the opposite party/husband, if the pending proceeding is directed to be disposed of in an expeditious manner in accordance with the provisions of the law.

The revisional application is thus disposed of without securing presence of the opposite party. Notice is thus dispensed with.

Learned Judicial Magistrate, 1st Court, Barasat, North 24 Parganas is directed to dispose of the pending maintenance proceeding under Section 125 Cr.P.C. in connection with M.Case No.202/19 expeditiously as possible in accordance with the provisions of the law.

With this direction the revisional application stands disposed of.

Urgent certified photostat copy of this order, if applied for, be given to the parties as expeditiously as possible on compliance of all necessary formalities.

(Subhasis Dasgupta, J.)