

23.03.2021  
Ct. 30  
D/L 16  
ab

**C.R.R. 253 of 2021**  
**(Via Video Conference)**

**Dipankar Parui**  
**Vs-**  
**Smt. Sucharita Mondal (Parui)**

Mr. Shuvro Prakash Lahiri,

... for the petitioner

Leave is granted to the petitioner to make necessary correction in the cause title of the instant criminal revision.

Upon perusing the contents of the application and having heard the learned advocate for the petitioner, this Court is of the view that the instant criminal revision can be finally disposed of even without serving notice to the opposite party.

The petitioner is the opposite party of Misc. Case No. 335 of 2016 filed by the opposite party herein under Section 12 and other related provisions of the Protection of Women from Domestic Violence Act, 2005 (hereinafter described as 'the said Act'), claiming monetary relief for herself and her minor daughter. The said application is pending for hearing in the Court of the learned Additional Chief Judicial Magistrate, Durgapur for five years.

The Sub-Section (5) of Section 12 of the said Act provides:-

*“(5) The Magistrate shall endeavour to dispose of every application made under Sub-Section (1) within 60 days from the date of its first hearing.”*

The purpose of the said Act is to provide monetary and other reliefs to the aggrieved persons who are subjected to domestic violence by the respondent. The said Act was enacted keeping in view the rights guaranteed under Articles 14, 15 and 21 of the Constitution to provide for a remedy under the civil law which is intended to protect the women from being victims of domestic violence and to prevent the occurrence of domestic violence in the society.

If a proceeding under the said Act is pending for five years or more, the object of the statute is frustrated.

Considering such view of the matter, the instant criminal revision is disposed of directing the learned Additional Chief Judicial Magistrate, Durgapur to conclude recording of evidence within four weeks from the date of communication of this order and dispose of the case by delivery of judgement within seven days from the date of conclusion of the recording of evidence of the parties.

It is made clear that the learned Additional Chief Judicial Magistrate, Durgapur will not give unnecessary adjournment to the parties during the trial of the Misc. Case No. 335 of 2016.

The petitioner is at liberty to place the server copy of this order before the learned Chief Judicial Magistrate, Durgapur, who will act on the said server copy of the order.

The instant revision is, thus, disposed of.

(Bibek Chaudhuri, J)