

14.07.2021
Item no.31
Ct. No.34
CHC

C.R.R. No.809 of 2012
IA NO: CRAN/1/2012 (Old No: CRAN/1977/2012)
(not in file)

(Via Video Conference)

In Re: An application for quashing of the proceeding under Section 482 of the Code of Criminal Procedure, 1973.

AND

In the matter of:-

Madan Biswakarmam @ Mistry
@ Vishwakarma & ors.

... petitioners

The revisional application has been preferred in connection with Misc.Case No.279/11 under Section 12 of the Protection of Women from Domestic Violence Act, 2005, which was preferred before the learned Additional Chief Judicial Magistrate, Durgapur.

I have perused the contention advanced by the petitioners in the revisional application and the same is based on facts which are required to be considered by the learned trial court.

Further, the revisional application was filed in the year 2012 and there was an interim order of stay for a period of eight weeks from the said date. However, said interim order has not been extended thereafter.

Today when the matter has been taken up, none appeared to apprise this Court regarding the present stage of the proceedings.

Having regard to the aforesaid, this Court is of the view that no interference can be made at this belated stage in respect of the merits of the case which requires appreciation of evidence.

Accordingly, C.R.R.809 of 2012 is dismissed.

Pending application, if any, is hereby disposed of.

Interim order, if any, is hereby vacated.

All parties shall act in terms of copy of this order downloaded from the official website of this Court.

(Tirthankar Ghosh, J.)