

08.07.2021
AJ, Ct.34
Sl No. 07.

C.R.R. 814 of 2012

(Via Video Conference)

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

And

In Re : **Sri Ram Krishna Paul.** petitioner.

The present revisional application has been preferred for quashing of Misc. Case No. 16 of 2010 (T.39/10) pending before the learned 2nd Additional Chief Judicial Magistrate, Basirhat.

The grievance of the petitioner is that the earlier applications for maintenance which were preferred by the wife both before the criminal court as well as the civil court, were dismissed for default. According to the petitioner the present maintenance application, which was preferred before the learned Magistrate, could not be continued. On 16.06.2010, the learned Magistrate was of the view that the application which has been preferred is maintainable and as such, the petitioner preferred a revisional application being Criminal Revision No. 20 of 2010 before the learned Additional Sessions Judge, Fast Track Court No.1, Basirhat. The learned Sessions Court by an order dated 6.6.2011 after appreciating the order dated 16.6.2010 passed by the learned Magistrate was pleased to uphold the order and reject the revisional application.

Having regard to the fact that the present revisional application is a second revisional application although the petitioner has tried to invoke the jurisdiction of this Court under Section 482 of the Code of Criminal Procedure and the issues have

already been dealt with by the revisional court, I do not think any substantial question of law is involved in this present case.

Accordingly, C.R.R. 814 of 2012 is dismissed.

Pending applications, if any, are disposed of.

Interim order, if any, is hereby vacated.

The Department is directed to communicate this order to the learned Court below within a period of seven days from date.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Tirthankar Ghosh, J.)