

08.07.2021
AJ, Ct.34
Sl No. 08.

C.R.R. 838 of 2012

(Via Video Conference)

In Re: An application under Sections 401, 482 of the Code of Criminal Procedure.

And

In Re : **Monsur Ali Molla.** petitioner.

The present revisional application has been preferred against the order dated 03.02.2012 passed by the learned 7th Judicial Magistrate, Alipore in connection with Case No : A.C. 2500 of 2010 (T.R. 1424/2010).

The revisional application relates to an objection taken out for deficiency in stamp, which was rejected by the learned Magistrate by the impugned order. It is reflected in the said order that the relief sought for by the wife was under Section 23 of the Protection of Women from Domestic Violence Act, 2005.

The revisional application appeared before this Court on 17.04.2012. Although the revisional application was directed to appear as contested application but the Co-ordinate Bench was of the opinion that no interim relief should be granted.

When the matter has been taken up today, none apprised this Court regarding the present stage of proceedings before the Court below. After the issue was so canvassed before the learned Magistrate, there was no recording of any substantial question, which touched the root of the case so far as domestic violence is concerned.

On an appreciation of the order under challenge, I am of the considered view that there is no scope for interference of this Court.

Accordingly, C.R.R. 838 of 2012 is dismissed.

All 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 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.)