

13.07.2021
Item no.30
Ct. No.34
CHC

C.R.R. No.1504 of 2013

(Via Video Conference)

In Re: An application under Section 401 of the Code of Criminal Procedure read with Section 482 of the Code of Criminal Procedure, 1973.

AND

In the matter of:-

Shib Narayan Nag
... petitioner

The present revisional application has been preferred against the order dated 20.04.2013, passed by the learned Chief Judge, City Sessions Court, Calcutta, in Criminal Appeal No.71 of 2012, wherein learned appellate court was pleased to affirm the order dated 07.04.2011, passed by the learned Metropolitan Magistrate, 13th Court, Calcutta, in connection with Complaint Case No.57 of 2011.

Records reflect that the present petitioner challenged the territorial jurisdiction of the learned Magistrate in entertaining the case under Section 12 of Protection of Women from Domestic Violence Act, 2005 and rejected the preliminary objection so taken by the petitioner.

Being aggrieved by the said order the petitioner challenged the same before the learned Sessions Court in Criminal Appeal No.71 of 2012. The Sessions Court also by taking into account the

circumstances as also the pleadings was pleased to affirm the order of the learned Magistrate.

Having regard to the reasons so assigned by the learned court below and the fact that no substantial question of law is involved, I am of the view that no interference is called for.

Accordingly, C.R.R.1504 of 2013 is dismissed.

Pending application, if any, is hereby disposed of.

Interim order, if any, is hereby vacated.

The opposite party no.2, will be at liberty to recover the arrears by taking out appropriate application before the learned Magistrate.

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

(Tirthankar Ghosh, J.)