

11.11.2021
Item no.52
Ct. No.34
CHC

C.R.R. No.2155 of 2021

(Physical Hearing)

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

AND

In the matter of:-

Santanu Mistri & anr.

... petitioners

Mr. Dipankar Aditya,

Mr. Rajes Jana,

Ms. Tina Biswas

...for the petitioners

Mr. Aditya, learned advocate appearing for the petitioners is aggrieved by the order of interim maintenance passed by the learned Judicial Magistrate, 10th Court, Alipore. The said interim maintenance was passed on an application relating to Protection of Women from Domestic Violence Act, 2005. In view of the provisions of Section 29 of the said Act, an appeal lies before the learned District and Sessions Judge.

Accordingly, the petitioners are granted liberty to exhaust the said process of law before approaching this Court.

Learned District Judge would be at liberty to independently consider the contention advanced by the petitioners without being

influenced by any observation made by this Court while deciding the appeal.

With the aforesaid observation, C.R.R.2155 of 2021 is disposed of.

Department is directed to return the certified copy to the learned advocate-on-record in lieu of the photostat copy which would replace the same.

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

(Tirthankar Ghosh, J.)