

11.03.2021
Item no.22
Ct. No.30
AKG

C.R.R. No. 2511 of 2014

In the matter of:-

Pralay Kayal @ Prolay Kayal

This is an application for quashing of the proceeding being Misc. Case No. 109 of 2014 pending in the 2nd Court of the learned Judicial Magistrate, Uluberia under Section 12 of the Protection of Women from Domestic Violence Act read with Sections 17, 18, 19, 20, 22 and 23 of the said Act.

None appears on behalf of the parties when the matter is taken up for hearing. The reliefs that can be granted in favour of the aggrieved persons under PWDV Act are civil relief. Therefore, the application under Section 482 of the Code of Criminal Procedure is not applicable to quash a proceeding in PWDV Act. An application under Section 12 of the said Act is neither a complaint nor a FIR, nor a chargesheet or a criminal proceeding. Therefore, the instant application being misconceived is dismissed on merit.

(Bibek Chaudhuri, J.)