

04.03. 2022
item No.29
n.b.
ct. no. 34

(via video conference)
CRR 101 of 2020

Soumik Senapati @ Saumik Senapati & Ors.
Vs.
The State of West Bengal & Anr.

Mr. Jayanta Narayan Chatterjee,
Ms. Moumita Pandit,
Ms. Nandini Chatterjee,
Mr. Nazir Ahmed,
Mr. Supreem Naskar,
Ms. Swagata Das,
Ms. Ritushree Banerjee,
Ms. Pritha Sinha
.....for the Petitioners

Mr. Imran Ali,
Ms. Debjani Sahu
.....for the State.

Report so submitted by the Officer-in-charge Panchla
Police Station be kept with the record.

Mr. Chatterjee, learned advocate appears on behalf of
petitioners and submits that in the matrimonial proceedings the
issue of cruelty has been dealt with by the civil Court. It has been
held that the wife inflicted torture upon husband and on such
grounds the marital tie has been snapped between the parties,
although the divorce order was passed ex-parte.

Report submitted by the learned advocate appearing for
the State reflects that revisional application is pending before the
learned Additional District Judge, 5th Court, Howrah being
Criminal revisional application No.86 of 2019.

Mr. Chatterjee, learned advocate appearing for the petitioner did not dispute such pendency of the revisional application pending.

Having regard to the fact that another revisional application has been preferred and is pending before the Learned Sessions Judge, I am of the opinion, the issues raised cannot be considered by this court unless and until the revisional application is considered and disposed of by the Learned Sessions Judge.

Accordingly, learned Additional Sessions Court, Howrah is directed to expeditiously dispose of the criminal revisional application no.86 of 2019 preferably within three months from date. The present revisional application at this stage do not call for any interference. The petitioner would be at liberty to exhaust the statutory provisions if so advised and required at the appropriate stage of the proceedings.

Accordingly, CRR 101 of 2020 is disposed of.

All pending connected applications, if any, are consequently disposed of.

Interim order, if any, is hereby vacated.

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

(Tirthankar Ghosh, J.)