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19.12.2022
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C.R.R.448 of 2021

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

Sri Biswajit Moni and others
Versus
Smt. Sumana Moni and others

The present petitioners preferred the revisional application challenging the proceedings being Misc. Case No.03 of 2021 under Sections 17/18/19/20/22 of the Protection of Women from Domestic Violence Act, 2005 pending before the learned Chief Judicial Magistrate, Suri, Birbhum and the summons dated 11.01.2021 issued by the said court.

There is statutory appeal provided under the Protection of Women from Domestic Violence Act, 2005.

The petitioners have approached this Court challenging the summons.

In view of the statute providing a specific provision for appeal in case of grievance of appellant and only in exceptional circumstances this Court is empowered to invoke the jurisdiction under Section 482 of the Code of Criminal Procedure, I am of the opinion that no exceptional circumstance has been created at the instance of the petitioners for this Court to interfere.

Accordingly, the revisional application being CRR 448 of 2021 is dismissed.

Pending application, if any, is consequently disposed of.

All parties shall act on the server copy of this order duly

downloaded from the official website of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Tirthankar Ghosh, J.)