

02.8.2022
S.D.
52.

C.R.R. 491 of 2019
Manwara Begum
Vs.
Sk. Nazrul Islam

Mr. Jayak Gupta
Mrs. Nafisa Begum

...For the Petitioner.

Mr. Asif Hussain
Mr. Abhishek Singh

....For the O.P.

Learned advocates for the petitioner and opposite party no. 1 are present.

This revisional application is listed today for hearing. Heard learned advocates for both parties.

Petitioner filed this application under Section 482 of the Cr.P.C. challenging order dated 4.1.2019 passed by learned Additional Chief Judicial Magistrate, Ulberia and also for recalling order dated 4.10.2018 passed by learned Additional Chief Judicial Magistrate, Ulberia in Misc. Case No. 109 of 2013 relating to enhancement of maintenance under Section 127 of the Cr.P.C. It appears that the petitioner/wife was aggrieved over the issue of cross-examination of a teacher in-charge who produced some registers from the school where the petitioner was serving as a para teacher. Under the provisions of the Evidence Act, whenever a document is produced and exhibited in course of evidence-in-chief, there is no impediment on any of the parties in cross-examining

the witness. If any contrary view is taken it would amount to misconception and error in law. The veracity of witness producing documents and adducing evidence can always be tested by way of cross-examination in a trial.

In view of such fact, I do not find any material in the contentions of the petitioner.

The revisional application is dismissed.

Interim order, if any, stands vacated.

Let a copy of this order be communicated to learned Additional Chief Judicial Magistrate, Ulberia for information.

(Ananda Kumar Mukherjee, J.)