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April 20,
2022
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C.R.R. No.246 of 2015

In Re: An application under Article 227 of the Constitution of India read with Section 482 of the Code of Criminal Procedure, 1973;

Hamidul Haque & Anr.
Versus
The State of West Bengal & Anr.

Mr. Sourav Chatterjee.
...for the petitioners.

The subject matter of challenge in this revisional application relates to maintainability of the proceedings so far as the present petitioners are concerned.

Mr. Chatterjee, learned advocate appearing for the petitioners submits that on the face of the averments/allegations made in the complaint under Section 12 of the Protection of Women from Domestic Violence Act, 2005, the implication of the petitioners do not come within the ambit of “domestic violence”.

The revisional application was admitted on February 3, 2015.

I do not find that there is information regarding the present stage of the case before the learned Judicial Magistrate, 8th Court, Alipore.

Having regard to the passage of time, which has elapsed in the meantime, I direct the learned Judicial Magistrate, 8th Court, Calcutta that in case the Complaint Case No.C/513 of 2013 has not been disposed of till date, the learned Magistrate would consider the

points canvassed in the present revisional application by the petitioners, namely, Hamidul Haque and Lailatun Nahar at the time of final arguments of the case.

With the aforesaid directions, CRR 246 of 2015 is disposed of.

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

(Tirthankar Ghosh, J.)