

Form J(2)

**IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction
Appellate Side**

**Present :
The Hon'ble Justice Bibek Chaudhuri**

CRR 1980 of 2022

**Jayara Bibi
Vs.
The State of West Bengal & Ors.**

For the petitioner : Ms. Diksha Ghosh, Adv.,

**For the State : Ms. Faria Hossain, Adv.,
Mr. Anand Kesari, Adv.**

**Heard &
Judgement on : 24.06.2022.**

Bibek Chaudhuri, J.

This is an application for expeditious disposal of Criminal Appeal No. 5/2019 pending before the Learned Additional Sessions Judge at Contai challenging an order passed in Misc. Case No. 204/2013 dated 31st December, 2018 by the Learned Judicial Magistrate, 1st Court at Contai in respect of an application under Section 12 read with Sections 18/19/20/22 of the Protection of Women from Domestic Violence Act. This Court is of the view that the instant criminal

revision can be disposed of without serving notice to the private opposite parties with the assistance of the Learned Public Prosecutor-in-Charge on behalf of the State of West Bengal.

Ms. Faria Hossain, Learned Public Prosecutor-in-Charge is requested to appear on behalf of the State. Appointment of Ms. Faria Hossain be regularized by the Legal Remembrancer, Government of West Bengal. The petitioner is requested to serve a copy of the application to the Learned Public Prosecutor-in-Charge.

I have heard the Learned Advocates for both the parties. The Learned Advocate for the petitioner has filed an unreported decision of the Karnataka High Court in Writ Petition No. 11265/2022 (***Smt. Rajamma H. & Thimmaiah V., decided on 9th June, 2022***). In the said report it is decided by the Karnataka High Court that a proceeding under Section 12 of the P.W.D.V. Act.

Therefore, the Learned Judge in First Appellate Court can not keep the Criminal Appeal No. 5/2019 and Criminal Appeal No. 2/2019 pending for about three years.

Therefore, the instant criminal revision is **disposed of** directing the Learned Judge in the First Appellate Court to dispose of Criminal Appeal No. 5/2019 and Criminal Appeal No. 2/2019 together within two months from the date of communication of the order.

The petitioner is at liberty to communicate this order by obtaining a server copy of the same and the Learned Judge in the First Appellate Court shall act on the server copy of the order passed by this Court.

(Bibek Chaudhuri, J.)

Srimanta, A.R.(Ct.)