

27.06. 2022
item No.42
n.b.
ct. no. 40

CRR 2777 of 2011

Shrimati Kajari Bagchi
-Vs-
Shyam Sundar Karfa & Ors..

Mr. Jayanta Narayan Chatterjee,
Mr. Nazir Ahmed,
Ms. Moumita Pandit
..... for the Private Opposite Party.
Mr. Imtiaz Ahmed,
Ms. Shaila Afrin,
Mr. Samrat Pal
... for the State.

None appears on behalf of the petitioner.

Mr. Ahmed, learned advocate appears for the State
in this case.

Mr. Chatterje, leaned advocate appears on behalf of
the private opposite party.

The instant application is preferred against the
Judgment and Order dated 29.6.2011 passed by the
Learned Additional District and Sessions Judge, Fast
Track-X Court, Alipore, 24 Parganas(South) in Criminal
Appeal No. 74 of 2010 affirming the Judgment and Order
dated 19.7.2010 passed by the Judicial Magistrate, 7th
Court at Alipore in connection with A.C. Case No.684 of
2010 whereby the petitioner filed an application under
Section 12 of Protection of Women from Domestic Violence
Act, 2005 was held to be not maintainable against the

person named therein. The original order was passed by the Judicial Magistrate was subject to scrutiny by the Appellate Court. This Court loath to interfere into orders so scrutinized except for strong reasons.

On perusal of the order passed by the Judicial Magistrate, 7th Court, Alipore dated 19.7.2010 as well as the Judgment of the Appellate Court dated 29.6.2011, it appears that there is no miscarriage of justice or misapplication of law or any error apparent on the fact of the record warranting interference of this Court.

Accordingly, the instant application is dismissed on merit.

(Sugato Majumdar, J.)