

08.07. 2022
item No.37
n.b.
ct. no. 34

CRR 3610 of 2009

Subir Kumar Roy & Ors.
Vs.
Smt. Shibani Roy & Anr.

Mr. Debabrata Roy,
Ms. Karabi Roy,
Ms. Sarbani Mukhopadhyay,
Mr. Soumik Mondal
.... For the petitioners

The present revisional application has been preferred challenging the order dated April 29, 2009 passed by the Judicial Magistrate, 2nd Court Durgapur in Misc. Case No.154 of 2008 under Section 12 of the Protection of Women from Domestic Violence Act, 2005.

Without going into the merits of the contentions in the present revisional application, I am of the opinion that no special circumstance has been shown before this Court to invoke the jurisdiction under Section 482 of the Code of Criminal Procedure. As the statute i.e. Protection of Women from Domestic Violence Act, 2005 has a specific provision under Section 29 of the said act for preferring appeal against an order before the Learned District Judge, petitioner if so advised is granted liberty to approach the appellate Court.

So far as the present revisional application is concerned, no interference is made on the merits.

In view of the observations, CRR 3610 of 2009 is disposed of.

All pending connected applications, if any, are consequently 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.)