

Form J(1)

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

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

CRR 1061 of 2023

**Papiya Bhowmick Halder
Vs.
State of West Bengal & Anr.**

**For the petitioner : Mr. Debasis Sur,
Mr. Himadri Shekhar Paul**

Judgement on : 08.05.2023.

Bibek Chaudhuri, J.

It is the case of the petitioner in a maintenance proceeding that the petitioner was brutally beaten by her husband and other matrimonial relations and she was driven away from her matrimonial home. Her husband also refused and neglected to maintain the petitioner.

On the contrary, the learned Magistrate on careful consideration of the evidence-on-record came to the finding:-

"It is proved that on the contrary, the petitioner, who seems to have a great dislike for her matrimonial family and matrimonial home and also disapproval for the O.P. as her husband, without any justification and of her own volition left her matrimonial home and went away to live with her parents".

The above finding has been taken by the learned Magistrate on the basis of evidence-on-record.

In a revision as a matter of fact a revisional Court cannot readjudicate and reappreciate the evidence adduced by the parties in the Trial Court.

The learned Advocate for the petitioner has failed to show any ground where the learned Magistrate committed illegality or material irregularity or he exceeded his jurisdiction.

In view of such circumstances, I do not find any merit in the instant revision and accordingly the instant revision is dismissed.

(Bibek Chaudhuri, J.)

Srimanta, A.R.(Ct.)
Item No. 36.