

07.08.2023

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CRR 1180 of 2011

In the matter of : Debidas Chattaraj & Anr.
.... for the petitioners.

None appears for the parties.

The instant revisional application has been filed being aggrieved by the judgment and order dated 17.03.2011 passed by the learned Additional Sessions Judge, Durgapur in Criminal Appeal No. 3 of 2009 affirming the order dated 21.01.2009 passed by the learned Judicial Magistrate, 2nd Court, Durgapur in Misc. Case No. 167 of 2008. It was stated that the opposite party No. 2 was entitled to an order of interim relief to the tune of Rs. 3,000/- from the petitioner Nos. 1 and 2 with effect from the date of the application i.e. 17.11.2008 which was to be paid by 15th day of every month at her given address. The petitioner Nos. 1 and 2 were directed to pay a sum of Rs. 1500/- each till the final disposal of the case. The said order was affirmed by the learned Additional District & Sessions Judge, Durgapur in Criminal Appeal No. 03 of 2009. Admittedly, the opposite party No. 2 was the wife of the son of the petitioner Nos. 1 and 2 namely i.e. Subir Chattaraj who died in an accident in the year 2000. The petitioner No. 1 and petitioner No. 2 had alleged to have tortured the opposite party No.2 and her daughter, compelling the opposite party No.2 to leave matrimonial house along with her female child. The issue of torture and infliction of violence under the Protection of

Women from Domestic Violence Act will be dealt with at the time of trial. However, this Court finds no impropriety or illegality with the interim relief being granted to the opposite party No.2.

Under the facts and circumstances, the instant criminal revisional application is dismissed.

Copy of the order be sent to the trial court for information.

(Ananya Bandyopadhyay, J.)