

12-09-2023
Subha
Item no. 63
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

CRR 1238 of 2023

Madan Mohan Dey and Anr.
-versus-
State of West Bengal and Anr.

Ms. Sreeparna Das
...for the petitioners.

Petitioners are the parents-in-law who are implicated in a proceeding under Sections 12/23 of the PWDV Act being AC Case No. 1411 of 2020 under the provisions of PWDV Act, 2005.

Petitioners have challenged the continuance of the proceedings before the learned Judicial Magistrate, 5th court, Alipore.

Having considered the subject matter of challenge particularly with reference to the documents which have been relied upon, I am of the opinion that the same subject matter can be addressed before the learned Sessions court by invoking its jurisdiction under Section 29 of the PWDV Act, 2023.

Petitioners would be at liberty to approach the learned Sessions Judge, Alipore. If such an application is taken out, the learned Sessions Judge would in the fitness of circumstances take into account the delay which has been caused because of the pendency of the revisional application before this court.

With the aforesaid observations, the revisional application being CRR 1238 of 2023 is disposed of.

Pending applications, if any, are hereby disposed of.

Department is directed to return the certified copy to the learned advocate on record of the petitioners on the same being replaced by Photostat copy.

All concerned parties are to act in terms of a copy of this order duly downloaded from the official website of this court.

[Tirthankar Ghosh, J]