

12-04-2023

Subha
Item no. 29
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

C.R.R 1566 of 2021

Debmalya Ghosh
-versus-
The State of West Bengal & Ors.

Re : An application under Section 482 read with Section 401 of the Code of Criminal Procedure.

The subject matter of challenge in the present revisional application related to an order dated 18.05.2021 passed by the learned Chief Judge, City Sessions Court, Calcutta in Criminal Appeal No. 80 of 2021 wherein the learned appellate court was pleased to affirm the order dated 05.04.2021 passed by learned Metropolitan Magistrate, 6th Court, Calcutta in Misc. Case No. M Ex. 27 of 2020 arising out of M Case No. 29 of 2013 under Section 12 of the Protection of Women from Domestic Violence Act.

I have considered the order dated 18.05.2021 passed by the learned Chief Judge, City Sessions Court, Calcutta and I find that the learned appellate court has taken into account the issues relating to maintenance, compensation and accommodation which was dealt with by the learned Magistrate while considering the application for necessary relief under the provisions of P.W.D.V Act.

The learned appellate court has categorically observed that there was no dictum of the Hon'ble Court that the amount of Rs.15,000/- should be paid and/or reimbursed only on production of the rent receipt and/or any other like document.

The learned appellate court also adhered to the order dated

21.08.2019 passed in CRR 77 of 2018 by the high court and thereafter dismissed the criminal appeal.

Having regard to the reasoning, which weighed with the learned trial court while dismissing the appeal, I am of the opinion that there is no scope of interference in the present revisional application.

Accordingly, the revisional application being CRR 1566 of 2021 is dismissed.

Pending applications, if any, are consequently disposed of.

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]