

CRR 2423 of 2005

In the matter of : Ruma Mondal

Mr. Soumik Ganguly
Mr. Supriyo Shasmal ... for the petitioner

Mr. Kaushik Chatterjee
Mr. Tirthankar Dey ... for the O.P.Nos.2,3&4

Mr. N. P. Agarwala
Mr. P. Bose ... for the State

Photocopy of the Order No. 38 dated 09.9.2009 passed in
MAT Suit 76 of 2008 is taken on record.

Mr. Dey, learned counsel representing the opposite party
nos. 2,3 & 4 submits that the marital knot between the petitioner
and opposite party no. 2 has been dissolved by a decree of
divorce on mutual consent on 09.9.2009 subsequent to the
disposal of Criminal Appeal No. 11 of 2004 whereby the learned
Appellate Court was pleased to set aside the order of conviction
passed by the learned Sub-Divisional Judicial Magistrate, Khatra in
G.R. Case No. 221 of 2000.

Taking into consideration the subsequent development
whereby the petitioner and the opposite party no. 2 decided to
dissolve the marital knot by converting suit for divorce into one
under Section 13(B) of the Hindu Marriage Act that too without
reserving any right to proceed with or to initiate any other
proceeding under law, I am of the view that the present application

for reversal of the order of acquittal is bereft of merit and should be dismissed which I accordingly do.

With the observation, the revisional application along with application, if any, stands disposed of.

Let a copy of this order be sent to the learned Trial Court, for information and necessary action.

(Siddhartha Roy Chowdhury, J.)