

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION
APPELLATE SIDE**

Present:

The Hon'ble Justice Ananya Bandyopadhyay

C.R.R. 2140 of 2014

**Kingshook Ghosh
Vs
Smt. Piyali Ghosh @ Pialy Ghosh**

For the Petitioner : Mr. Apurba Kumar Ghosh
Mr. Rudranil Ghosh

For the Opposite Party : Mr. Sarbananda Sanyal
Ms. Poulami Chakraborty

Heard on : 26.04.2023

Judgment on : 08.08.2023

Ananya Bandyopadhyay, J.:-

1. The instant criminal revisional application is filed against an order dated 07.05.2014 passed by the Learned Additional District and Sessions Judge, Fast Track Court, Katwa allowing the amendment application dated 06.08.2011 filed by the opposite party and thereby setting aside the impugned order dated 08.12.2011 passed by the Learned Judicial Magistrate, 2nd Court, Katwa in connection with the Misc. Case No. 5 of 2009, pending before the Learned Judicial Magistrate, 2nd Court Katwa.
2. The Learned Trial Court refused to entertain a petition for amendment filed by the petitioner claiming the same vexatious, belated and after-thought at a stage wherein the cross-examination of the petitioner was in process and

denied the petitioner to introduce facts unknown to him giving rise to new cause of action after a lapse of considerable period of time, since the actual case was filed on 07.01.2009.

3. It was further observed that the contentions in the amendment petition can be incorporated by way of re-examination during the process of trial which will not prejudice the rights of the parties.
4. This Court finds no reason to interfere with the impugned order and instant criminal revisional application is dismissed.
5. Accordingly, the instant criminal revisional application stands disposed of.
6. There is no order as to cost.
7. Let the copy of this judgment be sent to the Learned Trial Court as well as the police station concerned for necessary information and compliance.
8. All parties shall act on the server copy of this judgment duly downloaded from the official website of this court.

(Ananya Bandyopadhyay, J.)