

14.09.2023

SL. 69
Court No. 34
Sourav/
Suvayan

C.R.R. 3452 of 2023

In re: An application Under Section 482 of the Code of Criminal Procedure, 1973.

In the matter of: **Sri Arpan Mazumdar & Ors.**

Ms. Kakali Dutta
Mr. Sanjoy Chakraborty

...for the petitioners.

The petitioner has challenged the proceedings of M.C. Case No. 154 of 2022. The said case is an application in relation to provisions of Protection of Women from Domestic Violence Act, 2005. The statute provides for an appeal under Section 29 before the learned Sessions Judge. To invoke the provisions of Section 482 of the Code of Criminal Procedure exceptional circumstances are warranted which is not existing in the present case. There are reasons and grounds which are to be agitated before the appeal court.

Accordingly, the petitioner is granted liberty to prefer appeal before the Sessions Judge, Hooghly. In case such appeal is preferred, the appellate court will consider that some time was consumed because of pendency of the revisional application before the High Court and the delay as such be considered leniently. No interference is made by this Court.

With the aforesaid observations, the present revisional application being **CRR 3452 of 2023** is disposed of.

Pending applications, if any, are 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.

Department is directed to return the certified copy to the learned advocate on record of the petitioner and the same be replaced by the photostat copy.

(Tirthankar Ghosh, J.)

