

14.09.2023

SL. 72
Court No. 34
Sourav/
Suvayan

C.R.R. 3455 of 2023

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

In the matter of: **Sri. Sanjib Tarafdar**

... petitioner.

Mr. Biswaroop Bhattacharyya
Mr. Pratik Majumdar

...for the petitioner.

Mr. Arijit Ganguly
Mr. Koushik Kundu

... for the State.

The petitioner has challenged the proceedings being Complaint Case No. A.C. 408 of 2016 which is a proceeding under Sections 12 and 23 of the Protection of Women from Domestic Violence Act, 2005 and is pending before the learned Judicial Magistrate, 4th Court, Alipore.

Records of the case reflects that the petitioner has been contesting the issues and has invoked the jurisdiction under Section 482 Cr.P.C. An appeal was earlier preferred in respect of the quantum of monetary relief so granted before the jurisdictional Sessions Judge.

Having regard to the belated stage at which the continuance of the proceedings have been challenged before this Court, I am of the opinion that no exceptional case at this belated stage is made out for interference by this Court to invoke its jurisdiction under Section 482 of the Code of Criminal Procedure.

All the issues which have been canvassed in the present

revisional application is to be confronted in course of cross-examination by the petitioner before the learned Trial Court.

With the aforesaid observations, the present revisional application being **CRR 3455 of 2023** is disposed of.

Pending applications, if any, are disposed of.

The learned Trial Court would also at liberty to decide regarding the invoking of the provisions of Section 12 of the PWDV Act, 2005 at the instance of the aggrieved party.

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.)

