

Form J(1)

**IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction
Appellate Side**

Present :

The Hon'ble Justice Bibek Chaudhuri

C.R.R. 4633 of 2022

Suman Ghosh

Vs.

The State of West Bengal & Anr.

**For the petitioner : Mr. Swapan Kumar Mallick, Adv.
Mr. Siddheswar Chandra, Adv.
Mr. Sandip Dutta, Adv.
Ms. Sudhesna Das, Adv.**

Heard on : 26.04.2023.

Judgment On : 26.04.2023.

Bibek Chaudhuri, J.

An order dated 1st November, 2022 passed by the learned Sessions Judge, Raiganj, Uttar Dinajpur dismissing Criminal Appeal No.7 of 2021 under Section 29 of the Protection of Women from Domestic Violence Act and affirming the judgment and order dated 19th April, 2021 passed by the learned Judicial Magistrate, Additional Court at Raiganj in Misc. Criminal Case No.196 of 2019 is assailed in the instant revision.

Suffice it to state that the opposite party No.2/wife filed an application under Section 12 of the said Act praying for various relieves provided in Section 17/18/19 and 23 of the said Act. The said application was registered as C.R No.292 of 2012 before the learned Chief Judicial Magistrate, Raiganj.

The said application under Section 12 of the said Act was allowed ex-parte against the petition on 18th December, 2012 directing him to pay monetary allowance at the rate of Rs.15,000/- per month along with

order of residence. The order dated 18th December, 2012 was challenged by the present petitioner before this Court by filing a revision being CRR No.653 of 2016. The said revision along with CRAN 420 of 2017 was disposed of by a Co-ordinate Bench of this Court vide order dated 10th February, 2017 wherein this Court was pleased to modify the residence order directing the appellant/respondent to pay compensation at the rate of Rs.500 per month in lieu of household accommodation from the date the OP No.2 vacate such share hold household at Raiganj. The petitioner prayed for recalling of the order dated 10th December, 2017 by filing CRAN 2725 of 2017 however the said application was also dismissed by a Co-ordinate Bench vide order dated 14th July, 2017.

Subsequent thereto the petitioner filed an application under Section 25(2) of the said Act praying for modification/alteration/revocation of ex-parte order dated 18th December, 2012. The said application was registered as Misc. Criminal Case No.196 of 2019. The learned Magistrate upon hearing the parties dismissed the order dated 19th April, 2021. The petitioner preferred an appeal under Section 29 of the said Act before the learned Sessions Judge, Uttar Dinajpur. By a detailed order the learned Sessions Judge dismissed the said appeal affirming the order dated 19th April, 2021. I have carefully perused the order dated 1st November, 2022 passed by the learned Sessions Judge, Uttar Dinajpur. I do not find any illegality or material irregularity in the said order. Accordingly, the instant revision is summarily dismissed, however, without cost.

(Bibek Chaudhuri, J.)

**Mithun De/
A.R. (Ct).
SI No.12.
D/L.**