

14.03.2024

Item No.35
Ct.No.34
dc.

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

C.R.R. 1046 of 2024

In the matter of : **Sri Dhoodh Kumar Bhuniya** ... Petitioner.

Mr. Amitabha Karmakar,
Mr. Gautam Banerjee ... For the Petitioner.

Petitioner in fact challenges the continuance of Misc. Case No. 200 of 2022 which has been initiated under the relevant provisions of the Protection of Women from Domestic Violence Act, 2005. The main thrust of allegation is that the husband and the present petitioner have been residing separately at Hyderabad and the inmates of the matrimonial home have been foisted with the present case who are to face the ordeal of a trial. Since the order passed in connection with the provisions of the Protection of Women from Domestic Violence Act is to be decided under Section 29 of the Protection of Women from Domestic Violence Act by way of an appeal before the learned Sessions Judge, I grant liberty to the petitioner to prefer an appeal.

In case there is any delay, the learned sessions court will take into consideration the period which has been consumed for the purposes of the revisional application pending before this Court.

With the aforesaid observations, the revisional application being CRR 1046 of 2024 is disposed of.

Pending connected application, if any, is consequently disposed of.

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

All concerned parties shall act on the server copy of this order duly downloaded from the official *website* of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)