

22.04.2024

Sl. No.: 30

Court No.30
BM

CRR 2405 of 2022

Sri Pabitra Kumar Biswas

Vs.

Smt. Lipti Biswas

Mr. Debjyoti Basu
Mr. Parashar Baidya

... for the petitioner

Mr. Kallol Kumar Basu
Mr. Jannat Ul Firdous

... for the opposite party

The present revisional application has been preferred against the final order and judgment dated 05.04.2022 passed by the learned Judicial Magistrate, 2nd Court, Barasat, District North 24 Parganas in M. Case No.201 of 2013/T.R No.70 of 2013 in a proceeding under Section 125 of the Code of Criminal Procedure.

It appears that being aggrieved by the said order the petitioner/husband has directly approached the High Court, without approaching the Sessions Court under Section 397 of Cr.P.C.

The revisional application is accordingly disposed of with liberty granted to the parties to approach the appropriate forum praying for appropriate relief. In that event, the period taken during the present revisional application will not come in the way for the purpose of limitation (*Natwar Lal & Ors. vs State & Ors., on 23.04.2008 of Rajasthan High Court*).

Liberty is granted to the petitioner to take back the original certified copy of the order.

All applications connected thereto stand disposed of.

Interim order, if any, stands vacated.

Let a copy of the order be sent to the learned trial court for compliance.

Urgent Xerox certified copies of this order, if applied for, shall be supplied to the learned counsel for the parties as expeditiously as possible, in compliance of usual formalities.

(Shampa Dutt (Paul), J.)