

07.10.2024.
14.
Ct.No.6
as

CRR 3670 of 2024

In the matter of : **Biswajit Dey.**

... Petitioner.

1. Petitioner contends he married opposite party in 1983. A daughter was born to the couple who is presently aged 40 years. Opposite party instituted proceeding under Section 125 of the Code of Criminal Procedure and petitioner is paying maintenance allowance in terms of the orders passed in the said proceeding. Thereafter, impugned proceeding under Protection of Women from Domestic Violence Act has been instituted.

2. I have perused the impugned petition. Uncontroverted allegations disclose domestic violence on the opposite party. She has prayed for residence order, protection order as well as monetary relief. Payment of maintenance allowance in an earlier maintenance proceeding by and between the parties though relevant to consider quantum of monetary relief would not affect jurisdiction of the Court to grant various reliefs under the Protection of Women from Domestic Violence Act.

3. Under such circumstances, I am not inclined to interfere with the impugned proceeding. It is open to the petitioner to agitate his defence before the learned Magistrate in accordance with law.

4. With this observation, revision petition is disposed of.

(Joymalya Bagchi, J.)