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13.05.2024  
Ct. No.3  
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**IN THE HIGH COURT AT CALCUTTA  
Circuit Bench at Jalpaiguri  
Criminal Revisional Jurisdiction  
Appellate Side**

**CRR No. 82 of 2023**

RAM BILASH SINGH  
-VS-

SABNAM MAHATO SINGH

None appears on behalf of the either of the parties.

The matter was listed on 13<sup>th</sup> December, 2023, 23<sup>rd</sup> April, 2024 and 1<sup>st</sup> May, 2024 but none appeared on behalf of the either of the parties.

Today also when the matter is called, none appears on behalf of the either of the parties. No accommodation is sought for.

It is found from the record that the petitioner has filed the present application being CRR 82 of 2023 under Section 397/401 of the Code of Criminal Procedure read with Section 482 of the Code of Criminal Procedure, 1973 challenging the order passed by the learned Additional Sessions Judge at Alipurduar in Criminal Revision Case No. 10 of 2023 dated 28<sup>th</sup> March, 2023 refusing to stay the order dated 18<sup>th</sup> January, 2023 passed by the learned Judicial Magistrate 3<sup>rd</sup> Court at Alipurduar in CR Case No. 93 of 2022 instituted under The Protection of Women from Domestic Violence Act, 2005.

The petitioner being aggrieved with the order dated 18<sup>th</sup> January, 2023 has preferred a revisional application before the Additional District and Sessions Judge, Alipurduar being Criminal Revision Case No.10 of 2023. The Additional District and Sessions Judge at Alipurduar has taken up the matter on 28<sup>th</sup> March, 2023 and found that there is no justifiable ground placed by the learned advocate before the learned Judge for which an order of stay can be passed and the learned Judge also found that there is no urgency to stay impugned order. Accordingly, the Additional Sessions Judge has refused to stay the impugned order.

In the present application also the petitioner has not made out any ground as to why the order passed by the learned Magistrate as well as learned Additional Sessions Judge, Alipurduar can be stayed.

This Court does not find any merit in the application for grant of stay of the order dated 18<sup>th</sup> January, 2023 passed by the Learned Judicial Magistrate 3<sup>rd</sup> Court at Alipurduar and the order passed by the Learned Sessions Judge dated 28<sup>th</sup> March, 2023.

Accordingly, CRR/82/2023 is dismissed.

**(KRISHNA RAO, J.)**