

Form No. J(2)

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

Present:

The Hon'ble Justice Ananya Bandyopadhyay

CRR 2408 of 2025

Sukumar Dey

Versus

State of West Bengal & Anr.

For the petitioner : Mr. Gunjan Kumar Singh

Heard & Judgment on : 2nd September, 2025.

Ananya Bandyopadhyay, J:

1. The Learned Advocate representing the petitioner has submitted that the Order No. 7 dated 31.01.2025 passed by the District and Sessions Judge, Bankura rejecting the prayer to recall the order dated 13.02.2024 had been to the prejudice of the petitioner. It was not fault on the part of the Learned Advocate to be absent before the Court whereby the petitioner should not suffer. The Learned District and Sessions Judge, Bankura had opined that the order dated 13.02.2024 was decided on merit since the impugned order dated 17.08.2023 passed in connection with Misc. Case No. 72/2020 passed by the Learned Judicial Magistrate, 5th Court, Bankura was reasonably found not to be interfered with.

2. The Learned Sessions Judge, Bankura is to dispose of the criminal Revision No. 46/2023 with detailed order citing appropriate reasons for non-interference with the impugned order dated 17.08.2023 in connection with Misc. Case No. 72/2020 passed by the Learned Judicial Magistrate, 5th Court, Bankura. The order dated 31.01.2025 is accordingly recalled.
3. The Learned Advocate representing the petitioner is to serve notice upon the Public Prosecutor as well as the opposite party/wife to be present before the Court of the Learned District and Sessions Judge on 16th September, 2025. The maintenance amount of Rs.7,000/- as granted by the order dated 17.08.2023 should be continued to be paid by the petitioner to the wife and the child in the proportion as mentioned therein.
4. None appeared to represent the opposite party as well as the State.
5. However, the order passed by this Court should not in any instance cause prejudice to either of the parties.
6. The revisional application being CRR/2408/2025 is disposed of accordingly.
7. All the parties are to act on the server copy of this order duly downloaded from the official website of the Calcutta High Court.

(Ananya Bandyopadhyay, J.)

Srimanta, A.R.(Ct.)