

16.12.2025
Sl. no. 74-75
Ct. No. 42
P.M.

CRR 4559 OF 2024
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CRAN 4 of 2025
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CRR 4561 of 2024
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CRAN 4 of 2025
Sathi Bhowmick @ Sathi Saha & Anr.
- Vs -
State of West Bengal & Anr.

Mr. Moyukh Mukherjee,
Mr. Abhijit Singh,
Ms. S. Banerjee,
Ms. Sarnistha Basak
... for the petitioners
Mr. Pratick Ghosh,
Mr. Prasad Bhattacharya,
Ms. Shravani Ghosh,
Ms. Poulomi Saha
... for the opposite party No. 2

1. Mr. Mukherjee, learned counsel for the petitioners on the point of maintainability has relied upon the judgement of Supreme Court in **Shaurabh Kumar Tripathi Vs. Vidhi Rawal 2025 SCC Online SC 1158**. In this judgement it was inter alia held that in the exceptional circumstances petition under Section 482 Cr.P.C. would be maintainable to quash the proceeding under the Domestic Violence Act.
2. However, learned counsel for the petitioners seeks permission to withdraw the present petition with liberty to raise all the contentions before the learned

Trial Court or to file appeal as provided under Section 29 of the Domestic Violence Act.

3. Learned counsel submits that time period span in this petition may also be waived for the purpose of limitation.
4. Liberty is granted.
5. All contentions are left open.
6. However, no expression made herein shall tantamount to be in expression on the merits of the case.
7. This petition is dismissed as withdrawn.
8. Urgent photostat certified copy of this order, duly applied for, be given to the parties upon compliance of all usual requisite formalities.

(Dinesh Kumar Sharma, J.)