

02.12.2025  
Sl. no. 102  
Ct. No. 42  
P.M.

**CRR 5100 OF 2025**  
**Shri Surajit Paul & Anr.**  
- Vs -  
**The State of West Bengal & Anr.**

Mr. Phatick Chandra Das  
.... For the petitioner

1. Present petition has been filed challenging the order dated 22<sup>nd</sup> September, 2025 passed by learned Judicial Magistrate, 5<sup>th</sup> Court, Burdwan in Misc. Case No. 382 of 2025 under Section 23(2) of the Domestic Violence Act, 2005. Section 29 of the Domestic Violence Act explained that an appeal shall lie to the learned Sessions Court against the order passed under the Domestic Violence Act.
2. Learned counsel seeks permission to withdraw the petition with liberty to file an appeal under Section 29 of the Act before the learned Sessions Judge.
3. Liberty is granted.
4. In view of the submission let this petition is dismissed as withdrawn.
5. 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.)**