

17.12.2025
Ct. No.42

D/L 39
Mujahid

CRR 5390 of 2025
Amiya Kumar Biswas
Vs.
Bharati Biswas & Anr.

Mr. Ujjal Ray
Mr. Binit Kumar

...for the petitioner

1. After some arguments, learned counsel for the petitioner seeks permission to withdraw the present petition with liberty to file the revision petition before the learned Sessions Court and to take all contentions there.
2. Liberty granted.
3. Learned counsel also submits that some protection may be granted to the petitioner who is around 80 years and suffering from Thalassemia.
4. Heard submissions, considered, the petitioner is granted liberty to withdraw the present petition with liberty to file the appropriate proceedings before the competent court of law. All the contentions are kept open. It is made clear that this court has not gone into the merits of the case and no expression made herein shall tantamount to be an expression on the merits of the case.
5. As an exceptional case, in view of the fact that petitioner is around 80 years and he is suffering from Thalassemia. No coercive process be taken by the learned trial court till 30th January, 2026.

6. In the meanwhile, this interim protection shall be subject to the orders passed by the learned Sessions Court in revision, in case no interim protection is granted by the learned Sessions Court till 30th January, 2026. The interim protection granted by this court shall stand vacated. It is also made clear that the learned Sessions Court shall consider the issue of interim protection independently without any influence by the order of this Court.

7. Certified copy be returned to the petitioner as per Rules.

8. CRR 5390 of 2025 stands disposed of.

9. All parties shall act on the basis of the server copy of this order duly downloaded from the official website of this Court.

(Dinesh Kumar Sharma, J.)