

In the Court of Sessions Judge, Murshidabad

Present : **Sri Partha Pratim Chakraborty,
Sessions Judge, Murshidabad
(WB01240)**

Criminal Revision 83/2025

Order No. 02, dated 06.11.2025

The record is put up on the basis of put up petition along with a petition praying for stay of the order dated 05.07.2025 passed by Ld. JM, 3rd Court, Berhampore, Murshidabad in Execution Case No. 105/2023.

Ld. Advocate for the petitioner is present.

Ld. Public Prosecutor is present by filing hazira.

The case is taken up for hearing on admission.

Heard the learned Advocate for the petitioner. Perused the revisional application including the certified copy of the order dt. 05.07.2025 passed by the Ld. JM, 3rd Court, Berhampore, Murshidabad in c/w Execution Case No. 105/2023.

This revisional application has been filed within time.

Considered.

Let the instant revision be admitted.

Issue notice upon the OP No. 1 accordingly.

Requisite to be filed at once.

Stay petition filed on behalf of the petitioner being moved is taken up for hearing.

Heard Ld. Advocate for the petitioner as well as Learned PP for the State/OP.

Learned Counsel for the revisionist submitted that on 07.11.2025, the date is fixed for payment. According to him, learned Court while disposing of the petition filed by the revisionist herein did not consider the specific averment of the revisionist herein that the OP No. 1 had already married to someone else and suppressing the said fact she filed Misc. Case No. 360/2014 against this revisionist and fraudulently obtained order.

In this regard learned Counsel draws the attention of the court to copy of matrimonial suit filed before this Court and one document being copy of one FIR filed without any list.

Considered the matter. I find that there is no infirmity with the observation of the learned Executing Court that it cannot go beyond the final order.

On perusal of the record it appears that the final order was passed ex parte. Therefore, it appears that the revisionist should take proper step before the proper forum for proper relief.

In view of the above, the stay petition is rejected at this stage.

To date for **17.11.2025** for SR/AD, appearance and hearing the revisional application.

Dictated and corrected by me

Sess. Judge, Msd.

Sessions Judge, Murshidabad