

Criminal Appeal No.07/2025

Order No.03 / dt.01.03.2025

The case record is put up today on the prayer of the appellant.

A stay petition is moved on behalf of the appellant.

Heard. Perused the materials on record. Considered.

It appears that the instant appeal has been preferred against the judgment and order passed by the Ld. J.M. (03rd Court) in connection with the Misc. Case No.170/2019, wherein the Ld. Court has been pleased to pass an order directing the appellant to make necessary arrangement to restore the possession of the respondent in her shared household at the choice of the respondent, within three months from the date of passing of the impugned order and also further restraining the appellant from not creating any disturbance in the possession of the respondent during her stay at the shared household and also from alienating for dispossessing of the shared household or encumbering the same in any manner.

By the impugned order, the Ld. Court below has directed the I/C, Ranaghat P.S. to look after the matter that the order of the Court is implemented properly.

Indisputably the present respondent is the daughter-in-law of the present appellant. It is also not denied that there exists a long standing dispute between the parties, which has given birth to several litigations. It has appeared from the evidence of the present respondent, given in the said Misc. Case, that a criminal case was started by the present appellant against the present respondent, her husband and her parents for allegedly assaulting and committing theft. It has also appeared from the said respondent that she has purchased a land about 1.65 decimal of 03.01.2019 and has raised a two storied house upon her said land in the year 2019.

Be that as it may, there exist enough suspicion in the institution of the said Misc. Case by the said respondent against the present appellant, which definitely merits to be adjudicated.

Keeping in view the said facts, I think that the impugned judgment is required to be stayed for the ends of justice until further order.

Accordingly, the prayer for stay of all further proceedings of the impugned judgment is allowed.

Let all further proceedings of the impugned judgment of Misc. Case No.170/2019 be stayed until further order.

To date for SR and appearance.

Call for the LCR.

Let a copy of this order be sent to the Ld. Court below for necessary information.

Dictated & Corrected.
Sd/- S. Gupta

Sd/- S. Gupta
Additional District Judge,
Ranaghat, Nadia.