

Crl. Revision No. 12 of 2025
CNR WBUD01-0001062-2025
J.O Code WB 00700

Order No.10
Dated 15.01.2026

The case is posted for hearing of an application dated 15.09.2025 filed by the petitioner with a prayer for conversion of the instant Criminal Revision into Criminal Appeal.

Parties to this case filed their hazira through their Ld. Advocates.

Heard the submission from the both sides.

Record is taken up for passing order.

That the instant case is filed u/s 438 and 440 of BNSS being aggrieved by and dissatisfied with the order dated 04.03.2025 passed by the Ld. Judicial Magistrate, 2nd Court, Raiganj, Uttar Dinajpur in connection with case no. DVCR 495 of 2022. The revisionist of the instant case prefers to seek relief following the provision of section 29 of the Domestic Violence Act by filing an application of appeal. Therefore, it is prayed that treat this Criminal Revision application into criminal appeal by applying its inherent power, otherwise petitioner will suffer irreparable loss and injury. In support of its contention, Ld. Advocate of Revisionist referred the ruling reported in (2004) 12 SCC 278, copy of the judgement of P M Abraham Vs. Mrs Preethy Justin @ Preethy N Thomas on 11th June 2018 and copy of the judgement of Dr. Sujit Kr. Roy Vs. Union of India dated 2nd March, 2009.

Heard the submission.

Perused the case record and ruling referred by the revisionist.

Considering the entire facts and circumstances and to render proper adjudication of this case, **the instant revision application be treated as Criminal Appeal under section 29 of Domestic Violence Act.**

D/A is directed to make necessary note in this regard.

Fix **13.02.2026** for hearing.

D/C by me

Sessions Judge,
Uttar Dinajpur

Sessions Judge,
Uttar Dinajpur

