

ORDER SHEET
In the Court of Sessions Judge,
Paschim Medinipur

Criminal Appeal 62 Of 2023
Sessions Judge, Paschim Medinipur
J.O. Code No.WB 00615
CIS No.63/2023, CNR No.WBWM01 010266 2023

1 dtd. 18.10.23 The criminal appeal filed by appellant Narayan Chandra Das against Smt. Jyotsna Das and the State of West Bengal u/s 29 of Protection of women from Domestic violence act 2005 challenging the order dated 6.10.23 passed by the Ld. J.M. 5th Court, Paschim Medinipur in C/W Misc. case No. 17/2022.

Register. Heard ld. Advocate for the appellant.

The Criminal appeal having been filed within time being accompanied by the certified copy of the impugned judgement/order and voklatnama, the same is admitted for adjudication on merit over the legality and propriety of the impugned order.

Ld. Advocate for the appellant by filing a separate petition has prayed for stay of the impugned order.

It is submitted by the Ld. Counsel for the Appellant that there is no provision in the D.V. Act or Code of Criminal Procedure to impose cost as condition precedent. The impugned order is harsh and as such, the impugned order should be stayed.

Perused the impugned order.

It appears that the ground of interim stay has been made out. As such, I find it proper to stay the operation of the impugned order dated 6.10.2023 passed by the Ld. J.M.5th Court, Paschim Medinipur.

Accordingly, the impugned order is stayed till 4.12.2023. Let the case record be transferred to the Court of the Ld. Additional Sessions Judge, 3rd Court, Paschim Medinipur for disposal.

Issue notice upon the O.Ps. Requisite at once.
LCR be called for.

Let the LCR be produced before the transferee Court i.e. the Court of Ld. Additional Sessions Judge, 3rd Court, Paschim Medinipur by the next date fixed.

To 4.12.2023 for SR, appearance and LCR.

Dictt. and corrt. by me

S.J.

Sessions Judge
Paschim Medinipur