

20.03.2026
Court No.42
Item No.18
Sudipta

CRR 1240 of 2026

**Malini Roye
Vs.
State of West Bengal & Anr.**

Ms. Nibedita Roye
Ms. Pinky Shaw

... for the de facto complainant.

1. Present petition has been filed challenging the order and judgment passed by the learned Additional Sessions Judge, 8th Court, Barasat in Criminal Appeal no. 56 of 2024 whereby the learned Additional Sessions Judge remanded the matter back to the learned Trial Court for re-trial from the stage of recording the statement of the accused person i.e. opposite party no. 2 under Section 313 Cr.P.C.
2. Learned counsel submits that the learned Additional Chief Judicial Magistrate, Bidhannagar had recorded a conviction of opposite party no. 2 in GR case no. 966 of 2021 under Section 406 / 498A IPC vide order dated 14th August, 2024. Learned counsel submits that the order of the learned Additional Sessions Judge remanding the matter for re-trial is totally erroneous.
3. Issue notice to the State of West Bengal through the office of the learned Public Prosecutor. Opposite party no. 2 be also served.
4. Affidavit of service be filed.
5. List in the Monthly List of April, 2026.

6. In the meanwhile, in view of the submissions made hereinabove, the operation of the impugned order is stayed till 30th April, 2026 or until further order whichever is earlier.

(Dinesh Kumar Sharma, J.)