

**10.06.2026**

**Serial no. 17**

[Srimanta]

Ct. No. - 29

**CRR/1722/2026**

In re : An Application under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023

-And-

**In the matter of : BIPLAB KUMAR ROY ALIAS BIPLAB KUMAR ROY**

**... .. Petitioner**

*Mr. Soupal Chatterjee,  
Mr. Prabir Kumar Das,  
Mr. Anupam Das,  
Ms. Madhumita Chatterjee, Advocates*

*... .. For the Petitioner.*

*Mr. Sarbajit Choudhuri*

*... ..For the Opposite Party No. 2.*

1. Affidavit-of-service along with Supplementary Affidavit filed on behalf of the petitioner, copy of which has already been served upon learned Counsel appearing for the opposite party, are taken on record.
2. Petitioner's contention is that the application under Section 125 is not maintainable since the opposite party/wife has married the petitioner during continuance of her earlier marriage with one Kanai Lal Karmakar which took place on 10.05.2016. In this context, petitioner has also relied upon the ratio laid down in the judgment reported in **1988(1) SCC 530 (Yamunabai Anantrao Adhav -Vs.- Anantrao Shivram Adhav & Anr.)**.

3. Learned Counsel appearing on behalf of the opposite party no. 2 seeks for an accommodation.
4. Let the matter be listed under the heading 'To Be Mentioned' on 24<sup>th</sup> June, 2026.

**(Dr. Ajoy Kumar Mukherjee, J.)**