

24.08.2021

Ct No. 35

D/L 45

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C.R.R. 1424 of 2021
(Via Video Conference)

Re: An application under Section 482 read with Sections 401 and 397 of the Code of Criminal Procedure, 1973.

In re : **Munal Santra,**

... Petitioner

Mr. Paban Kumar Gupta,

... for the petitioner

It has been submitted by the learned advocate for the petitioner that though the de-facto complainant in her divorce petition admitted that she left Bangalore on November 24, 2016, and since then, had been leaving separately from her husband, in the complaint before the police authority filed on November 27, 2020, she suppressed the said facts.

It has further been submitted by the learned advocate for the petitioner that the learned Magistrate in the Court below, while taking cognizance, ought to have appreciated that the alleged offence took place beyond his territorial jurisdiction.

Prima facie, it appears that the alleged offences took place in Bangalore, beyond the territorial jurisdiction of the learned Magistrate in the Court below.

In view of the aforesaid, there shall be a stay of all further proceedings in connection with G.R. Case No. 5451 of 2020, under Sections 498A of the Indian Penal Code, 1860 read with Sections 3 & 4 of the Dowry Prohibition Act, 1961, pending before

the learned Chief Judicial Magistrate, Malda, for a period of four weeks from date.

The petitioner shall serve a copy of this application upon the opposite parties within a week from date, intimating that this matter will be taken up for hearing after three weeks under the heading 'For Orders'. The petitioner shall file an affidavit-of-service to that effect on the next date of hearing.

List this matter under the heading "**For Orders**" after three weeks.

(Kausik Chanda, J.)