

14.06.2024
rc/ct.no.34
Item No.21

CRR No. 2303 of 2024

In the matter of : Saiful Islam

.....Petitioner

Mr. Sabir Ahmed
Ms. Debasree Dhamali
Mr. Tasnim Ahmed
Mr. Dhiman Banerjee

...for the Petitioner

The petitioner has assailed the judgment passed by the learned Additional District and Sessions Judge, 2nd Court, Alipore, South 24-Parganas on December 17, 2021 in Criminal Revision No. 16 of 2021 affirming the judgment and order passed by the learned Judicial Magistrate, First Class 3rd Court, Asansol in Misc. Case No. 219 of 2004 primarily on the ground that in disposing of G.R.Case No. 376 of 2009 under Sections 498A/406/34 of the Indian Penal Code filed by the private opposite party against the petitioner, the learned trial court has held that the marriage between the parties is doubtful.

It appears that the petitioner has been able to make out an arguable case. The petitioner is directed to serve a copy of the application along with annexure thereto upon the opposite party and file affidavit of service on the adjourned date.

Let this matter appear under the heading "Contested Application" on September 11, 2024.

The judgment and order passed by the learned Judicial Magistrate, First Class 3rd Court, Asansol in Misc. Case No. 219 of 2004 and Misc. Execution Case No. 119 of 2021 pending before the said learned Court be stayed till September 30, 2024 or until further orders, whichever is earlier.

(Suvra Ghosh,J)