

03.09.2025  
RANJAN  
Item no.18  
Court No.9

**IN THE HIGH COURT AT CALCUTTA  
CRIMINAL REVISIONAL JURISDICTION  
APPELLATE SIDE**

**CRR 3011 of 2025**

In Re: An application under Section 482 of the Code of Criminal Procedure read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023;

and

In the matter of : **SANTU SIKDAR & ANR.**

**..... Petitioners**

Mr. Prasenjit Mukherjee, Adv.  
Mr. Rajdeep Bosu, Adv.  
Mr. Saptarshi Chakraborty, Adv.  
Mr. Jahangir Hossain, Adv.

.....For the Petitioners

1. Learned advocates for the petitioners are present.
2. Heard learned advocates for the petitioners.
3. Perused the materials on record. Learned advocate for the petitioners submit that the opposite party no. 2 has instituted this complaint against the petitioner after a period of two years from the date of marriage, when the petitioner already instituted a Matrimonial Suit, after the maintenance case filed by the de facto complainant-opposite party no. 2 was dismissed.
4. Learned advocate submits that the allegation made against the petitioner is not maintainable.

5. Learned advocate further submits that the learned Magistrate issued the process without following provisions containing in Section 202 of the Code of Criminal Procedure, although, the petitioner resides outside the jurisdiction of the said Magistrate.
6. Upon hearing the learned advocate and considering the facts of the case, this Court is of the view that this application should be admitted. Thus, I admit this application.
7. Let notice be issued upon the opposite parties within one week from date and affidavit of service be filed.
8. Let this matter appear two weeks after Puja Vacation.
9. Pending hearing of this application, there shall be stay of further proceedings of C.S. Case No. 139/2017 pending before the learned Judicial Magistrate, 5<sup>th</sup> Court at Sealdah, South 24-Parganas, for a period of three weeks after Puja Vacation.

**(Biswaroop Chowdhury, J.)**

