

**CRR 3264 of 2025**

In the matter of: **Saba Parveen**....petitioner.

Mr. Prantick Ghosh,  
Mr. Prasad Bhattacharyya,  
Ms. S. Ghosh

....for the petitioner.

1. Petitioner is represented by learned advocate.
2. This revisional application, filed by the petitioner, Saba Parveen, assails the judgment dated 22nd May, 2025, passed by the learned Additional Sessions Judge, 16th Court at Alipore, South 24 Parganas, in Criminal Appeal No. 16 of 2022.
3. The genesis of this dispute lies in a proceeding under the Protection of Women from Domestic Violence Act, 2005, initiated by the petitioner. The husband, the opposite party no. 2, subsequently filed an application under Section 340 of the Code of Criminal Procedure, 1973 (Cr.P.C.), alleging that the petitioner had made false statements on oath regarding her income in her original application under the D.V. Act. While the learned Judicial Magistrate dismissed the husband's application, the appellate court reversed that decision, thereby setting in motion a potential inquiry into the commission of an offense under Section 195(1)(b) of the Cr.P.C.
4. Learned counsel for the petitioner submits that the petitioner had subsequently filed an application for amendment to her petition to correct the statement. This action, it is argued, demonstrates a lack of malicious intent. This point, along with

the nature of the payments received, requires closer judicial scrutiny.

5. The pivotal question before this Court is whether the alleged false statement was material to the case and was made with the requisite criminal intent to cause prejudice to the opposite party. The legal distinction between a deliberate falsehood and a potential inaccuracy is a substantial question of law that merits a thorough examination.
6. In light of the above, and to ensure the ends of justice are met, it is essential to hear all parties and examine the records of both the trial court and the appellate court. This Court is therefore satisfied that the revisional application merits admission for a detailed hearing on the merits.
7. Accordingly, the present revisional application is admitted.
8. The petitioner is directed to serve notice upon the opposite party no. 1, the State, through the office of the learned Public Prosecutor, High Court, Calcutta, and upon the private opposite party no. 2 at his last known postal address through speed post with acknowledgment due. An affidavit of service must be filed by the adjourned date.
9. The operation of the impugned order dated 22nd May, 2025, shall remain stayed for a period of 9 weeks from this day or until further orders, whichever is earlier.
10. Let this matter appear before the bench having determination after 9 weeks from this day.

11. The parties shall have the liberty to mention the matter for an earlier date if necessary.

**(Uday Kumar, J.)**