

07.10.2024.
16.
Ct.No.6
as

CRR 3682 of 2024

In the matter of : **Joyanta Chakraborty & Ors.**
... Petitioners.

1. Petitioner No.1 submits he had instituted a suit for divorce against opposite party No.2-wife. In retaliation impugned criminal proceeding has been registered.
2. I have considered the allegations in the impugned charge sheet in light of the aforesaid submission. Possibility of malicious institution of criminal proceeding in retaliation to divorce proceeding instituted by petitioner No.1 cannot be ruled out.
3. Copy of the petition be served upon opposite party No.1/State through learned Public Prosecutor, High Court, Calcutta and upon opposite party No.2 through registered speed post with acknowledgement due and affidavit of service be filed on the next date of hearing.
4. Let the matter appear under the heading 'Contested Application' four weeks after Puja vacation.
5. There shall be stay of operation of Chuchura Women Police Station Case NO.100 of 2024 dated 05.07.2024 registered under Sections 498A/406/34 of the Indian Penal Code and Sections 3 and 4 of Dowry Prohibition Act for a

period of six weeks after Puja vacation or until further orders, whichever is earlier.

6. Liberty is given to the parties to pray for extension and/or vacation and/or modification of this order upon notice to the other side.

7. Urgent photostat certified copy of this order, if applied for, shall be given to the parties as expeditiously as possible on compliance of all necessary formalities.

(Joymalya Bagchi, J.)