

18.09.2025
Court No.32
D/L No.13
S.Gayen

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

CRR 5192 of 2024

**Sri Ripon Saha alias Ripan Saha
Versus
The State of West Bengal & Anr.**

Mr. Aniket Mitra

...for the Petitioner

1. This revisional application has been filed assailing the order No.6 dated 04.09.2024 passed by the learned Sessions Judge, Krishnanagar, Nadia in Criminal Motion No. 52 of 2023 thereby rejecting the revisional application straightway without disposing the application under Section 5 of the Limitation Act.
2. Learned counsel appearing for the petitioner has submitted that the revisional application being No. Criminal Motion No. 52 of 2023 was filed before the learned Sessions Judge being aggrieved by the order passed by the learned Trial Court promulgating an order of interim maintenance to the tune of Rs. 9000/- in favour of the petitioner along with an application under Section 5 of the Limitation Act for condoning the delay of 90 days in filing the revisional application. It is submitted that the learned Sessions Judge straightway considered the revisional application in terms of the Section 397(2) of the Code of Criminal Procedure and it was held that the revisional application cannot lie against any interlocutory order passed by the learned Trial Court.

3. Learned counsel for the petitioner has further submitted that the learned Judge had hardly any scope to enter into the merit of the revisional application without disposing the application of condonation of delay in filing the revisional application.
4. Having heard the learned counsel appearing for the petitioner and considering the materials placed on record, the instant revisional application stands admitted.
5. Petitioner is directed to serve notice upon the opposite party No.2 through speed post with A/D and to file affidavit of service on the returnable date.
6. Let the matter appear in the combined monthly list of November, 2025.
7. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Bibhas Ranjan De, J.)