

**IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction**

CRR 11 of 2026

In re : An application under Section 442 of the Bharatiya
Nagarik Suraksha Sanhita.

-And-

In the matter of : Smt. Pradipta Dewan

Mr. Sattwik Bhattacharyya, Adv.,
Mr. Aashutosh Bhattacharyya, Adv.

... For the Petitioner.

1. Heard the submission of the learned advocate for the
petitioner.

2. The present petitioner is the wife in favour of whom an
order was passed by the learned Magistrate in connection with
the proceeding filed under PWDV Act whereby the husband
was directed to make payment of Rs.24,000/- in total per
month to the complainant wife and the minor son with effect
from February 06, 2025 along with litigation cost of Rs.8000/-.
This order was passed ex parte. Since the husband did not
turn up, subsequently, order was challenged and the learned
appellate court directed the matter for hearing afresh without
ascertaining any amount as maintenance. The present
petitioner though having an income of only 4000/- to 5000/- is
highly prejudiced because of such order as she has to maintain
herself and her son. Hence, an arguable case is made out for
which the matter is required to be heard.

3. Petitioner is, therefore, directed to serve copies of this
revisional application upon the State, service through the office
of the learned Public Prosecutor, High Court, Calcutta and
upon the opposite party no.2 by Speed Post and to file
Affidavit-of-Service on the next date of hearing.

4. Let the matter appear before the regular Bench two
weeks hence under the heading "**Listed Motion**".

5. In the meantime, the judgment and order passed by the learned appellate court shall remain stayed till March 31, 2026 or until further orders, whichever is earlier, and the husband is directed to comply with the directions passed by the learned Magistrate until further orders.

6. All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

7. Criminal Section is directed to supply certified copies of this order to the parties, if applied for, upon compliance of all necessary formalities.

[Chaitali Chatterjee (Das), J.]