

15.09.2025
Court No.32
SL No.13
S.Gayen

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

CRR 5410 of 2024

**Ashok Kumar Majumdar
Versus
Sumita Majumdar (Majhi)**

Mr. Dhananjay Banerjee
Mr. Anirban Gope

...for the Petitioner

1. This revisional application has been filed assailing the order passed in Criminal Appeal No. 53 of 2023 with Criminal Appeal No.61 of 2023, wherein the learned Additional Sessions Judge, 3rd Fast Track Court, Barrackpore, North 24 Parganas dismissed the appeal being No. 53 of 2023 which was assailed against the judgment passed in Misc. Case No. 141 of 2013 by the learned Judicial Magistrate, 2nd Court, Barrackpore. By that order the learned Judge also allowed one appeal being Criminal Appeal No. 61 of 2023 preferred by the opposite party, thereby directing the petitioner to make payment of Rs. 5000/- as rent per mensem for accommodation to the aggrieved person.
2. Learned counsel appearing for the petitioner has submitted that the petitioner/husband was acquitted of the charge under Section 498A of the Indian Penal Code which was initiated at the instance of the opposite party/wife. It is also submitted that at the behest of the petitioner/husband one divorce suit has already been filed. It is further submitted that the application under Section 29 of the

Prevention of Women from Domestic Violence Act, 2005 was filed after seven years of marriage that too after acquittal of the accused from a case under Section 498A of the Indian Penal Code.

3. Having heard the learned counsel for the petitioner as well as having gone through all the documents annexed herewith, the revisional application stands admitted.
4. Petitioner is directed to serve notice upon the opposite party through speed post with A/D and to file affidavit of service on the returnable date.
5. Let the matter appear two weeks after the ensuing puja vacation, 2025.
6. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Bibhas Ranjan De, J.)