

**22.04.2026**

Item no.22.

Court No.5.

Suman

**In the High Court at Calcutta  
Circuit Bench at Jalpaiguri  
Criminal Revisional Jurisdiction**

**CRR 142 of 2026**

**In the matter of :Sri Nabin Ghosh and Anr.  
.....Petitioners.**

Mr. Ajay Singhal  
Ms. Heena Yasmin Shaikh  
Ms. C. Dey

.for the petitioners

Mr. Singhal, learned Advocate appearing for the petitioners, prays for leave to file a supplementary affidavit to produce certain documents on record which, according to him, have a bearing on the decision to be taken in this application. Such leave is granted.

Let such supplementary affidavit be filed on the returnable date.

Mr. Singhal submits that the order under challenge in this revisional application, dated 21st April, 2022, has been confirmed and made absolute. He submits that there is no domestic relationship between the complainant and the present petitioner, and that the present petitioner has never resided in the shared household with the complainant. According to him, the present petitioner is a complete stranger to the family of the complainant and her husband. He further submits that, following a dispute in their matrimonial life, the complainant was allegedly driven out of her matrimonial home in 2006, as claimed in her application filed under Section 12 of the Protection of Women from Domestic Violence Act, 2005. He also submits that the

petitioner purchased the property on 8th April, 2022. He submits that by the impugned order, the order dated 21st April, 2022 has been confirmed and made absolute, by which an order restraining demolition of the house, namely 'BASUSHREE', was passed. He further submits that the complainant can never claim any right of residence in the said house and that such direction has infringed the petitioner's right to property. Accordingly, he submits that the order cannot be sustained.

However, having considered the submissions advanced on behalf of the petitioner and upon perusal of the materials on record placed before the Court, I am of the view that, before taking a decision on this application, an opportunity of hearing should be afforded to the opposite party.

In view of the above, the petitioner is directed to serve a copy of this application along with the supplementary affidavit upon the opposite parties and to file an affidavit of service on the returnable date.

Let the matter be placed for further consideration before the next available Circuit Bench.

**(Partha Sarathi Chatterjee, J.)**