

12.07.2021

Item No.26
Ct.No.34
dc.

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

C.R.R. 260 of 2012
(Via Video Conference)

Santosh Prasad
versus
The State of West Bengal & Anr.

In Re: An Application under Section 401 read with Section 482 of the Code of Criminal Procedure, 1973.

The present revisional application has been preferred against the order dated 22.09.2011 passed by the learned Judicial Magistrate, 2nd Court, Howrah wherein the learned Magistrate was pleased to allow the application under Section 125 of the Code of Criminal Procedure *ex parte* and awarded maintenance of Rs.3,000/- per month to the wife and Rs.3,000/- to the minor son, aggregating to a total sum of Rs.6,000/- per month.

Having regard to the reasons so assigned by the learned Magistrate and taking into account the present cost of living and expenditure required to an individual for surviving, I am of the view that no interference is called for so far as the quantum of maintenance is concerned.

The opposite party/wife will be entitled to recover the arrears by taking out appropriate application before the learned Magistrate.

CRR 260 of 2012 is, thus, dismissed.

Interim order, if any, is hereby vacated.

All pending applications, if any, are consequently disposed of.

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

(Tirthankar Ghosh, J.)