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C.R.R. No.377 of 2018
(Through Video Conference)

In Re : An application under Section 482 of the Code of Criminal Procedure, 1973;

In the matter of : Sri Ramlal Hela @ Sankar Hela. ... petitioner.

None appears either for the petitioner or for the opposite parties when the matter is called on for hearing. No accommodation has been sought for.

The present revisional application has been preferred against the order dated November 28, 2017 passed by the learned Additional Sessions Judge, First Court at Sealdah, South 24 Parganas, in Criminal Revision No.46 of 2017.

The subject-matter of the case involves an order passed by the learned Judicial Magistrate, 5th Court at Sealdah, South 24-Parganas in Miscellaneous Case No.02 of 2012 under Section 127 of the Code of Criminal Procedure.

It was contended on behalf of the petitioner that the learned Magistrate enhanced the amount without taking into account the capacity of the petitioner to pay such enhancement. In the year 2002, an amount of Rs.600/- per month was awarded as maintenance and subsequently in the year 2012, the same was enhanced to Rs.4,000/- per month. The learned Sessions Judge, on an appreciation of the evidence assigned by the learned Magistrate, was pleased to dismiss the revisional application.

The records of this revisional application reflect that the matter appeared on May 1, 2018 and May 15, 2018 and there was no effective participation from the part of the petitioner.

Having regard to the present market value and the minimum expenditure required for an individual to survive, I do not find any reason to interfere with the impugned order.

Accordingly, CRR 377 of 2018 is dismissed.

Pending applications, if any, are 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.)