

Sr. 12
08-07-2021
Subha.
Court no. 34

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION
APPELLATE SIDE
(Via Video Conference)**

CRR 897 of 2012

In Re : **Smt. Manju Fouzdar**

.....Petitioner.

In the matter of : An application under Sections 397, 401 read with Section 482 of the Code of Criminal Procedure.

The present revisional application has been preferred against the order dated 10th February, 2012 passed by the learned Judicial Magistrate, 1st Court, Howrah in connection with Miscellaneous Case No. 401 of 2011 under Section 125 of the Code of Criminal Procedure.

By the said order, the learned Magistrate was pleased to award Rs.5000/- as maintenance to the wife and Rs.3000/- to the minor son by way of interim maintenance.

Having regard to the fact that the quantum was awarded by the learned Magistrate by way of an interim measure during the pendency of the application under Section 125 of the Code of Criminal Procedure, I am of the view that at this belated stage there is no scope for interference by this court.

Further, the records of this revisional application reflects that there was no interim order at the time of admission of the revisional application which was passed on 18th April, 2012 by a co-ordinate Bench of this court.

Having regard to the totality of the circumstances before this court, this court is of the opinion that further pendency of the revisional application is unwarranted.

Accordingly, the present revisional application being CRR 897 of 2012 is dismissed.

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

Interim order so passed, if any, is hereby vacated.

Department is directed to communicate this order to the learned court below within a period of seven days from date.

All parties are to act on the server copy of this order duly downloaded from the official website of this court.

(Tirthankar Ghosh, J.)