

Sr. 13
08-07-2021
Subha.
Court no. 34

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

CRR 962 of 2012

In Re : **Chandan Mahanty**

.....Petitioner.

In the matter of : An application under Section 482 of the Code of Criminal Procedure.

The present revisional application has been preferred against the judgement and order dated 23rd December, 2011 passed by the learned Additional Sessions Judge, 6th Court, Paschim Midnapur wherein the learned Sessions Court was pleased to affirm the order of the learned Additional Chief Judicial Magistrate, Jhargram in M. R. Case No. 10 of 2003.

Records reflect that by an order dated 16th December 2010 in an application under section 125 CrPC, the learned Magistrate after taking into account the maintenance was pleased to refuse maintenance to the wife but allowed maintenance of Rs.2,500/- per month to the minor son.

Being aggrieved by such order, the present petitioner approached the Sessions Court in revisional jurisdiction. The

learned Sessions Court in Criminal Revision No.88 of 2011 was pleased to uphold the order passed by the learned Magistrate and dismissed the revisional application.

Having regard to the reasons so assigned by the learned Magistrate as well as the learned Sessions Court while awarding the maintenance, I am of the view that no interference is called for in this revisional application.

There was a direction by a co-ordinate Bench of this Court on 19th June 2012 to continue with the maintenance as directed by the learned Magistrate. In case there has been non-compliance of the same, the learned Magistrate is directed to exhaust harsher process of law for recovery of the arrears.

The revisional application being CRR No.962 of 2012 calls for no interference and as such 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.)