

Sr. 15
20-07-2021
Subha.
Court no. 34

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

CRR 1335 of 2012

In Re : **Sri Koushik Roy**

.....Petitioner.

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

The present revisional application has been preferred by the petitioner/husband being aggrieved by the judgement and order dated 30th January, 2012 passed by the learned Additional Sessions Judge, 2nd Fast Track Court, Berhampore, Murshidabad in connection with Criminal Revision No. 338 of 2009.

The contents of the case relates to an order dated 15th July, 2009 passed by the learned Chief Judicial Magistrate, Murshidabad in M. R. Case No. 1021 of 2009 wherein the learned Magistrate by way of an interim maintenance awarded Rs.3000/- each to the wife and the child to be paid per month during the pendency of the application under Section 125 of the Code of Criminal Procedure.

At the stage of the admission of the revisional application, a co-ordinate Bench of this Court on 18-04-2012 was pleased to direct the petitioner/husband to pay a sum of Rs.1500/- per month to the minor child and Rs.700/- per month to the wife with a clause that any default in payment would result in vacating the interim order.

I have perused the order passed by the learned Sessions Judge while exercising its revisional jurisdiction and I am of the view that the reasons so assigned are not erroneous thereby calling interference by this court.

This matter has been running for a considerable period of time but none represented the petitioner to report regarding the compliance of the order dated 18th April, 2012.

Having regard to the circumstances that the impugned order was passed by way of interim measure during the pendency of the final disposal of the application under Section 125 of the Code of Criminal Procedure, I am of the view that no interference is called for by this court.

As such, the present revisional application being CRR 1335 of 2012 is dismissed.

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

Interim order, if any, is hereby vacated.

The wife/opposite party will be at liberty to take out an appropriate application for recovery of the arrears before the learned Magistrate.

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

(Tirthankar Ghosh, J.)