

26.07.2021

Item No.4
Ct.No.34
dc.

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

C.R.R. 1351 of 2012
(Via Video Conference)

Md. Ajijur Rahaman @ Ajijur Rahaman
versus
Ruksana Bibi & Anr.

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

Mr. Musharraf Alam Sk. ... For the Petitioner.

The present revisional application has been preferred against the judgment and order dated 06.01.2012 passed in Criminal Revision No. 85 of 2011 by the learned Additional Sessions Judge, 6th Fast Track Court, Malda wherein the learned sessions court, while exercising its revisional jurisdiction, was pleased to award Rs.2000/- per month as maintenance to the wife in addition to the maintenance of Rs.1500/- per month for the minor daughter. Records reflect that the learned Judicial Magistrate, 2nd Court, Malda was pleased only to award maintenance of Rs.1500/- per month to the minor daughter, but refused to allow any award of maintenance in favour of the wife. The learned sessions court on re-appreciation of the evidence and the settled principles of law was pleased to set aside the part of the order relating to maintenance in favour of the wife.

Having regard to the reasons so assigned by the learned sessions court, I do not find any illegality in the

impugned order and as such, no interference is called for.
Accordingly, CRR 1351 of 2012 is dismissed.

Interim order, if any, is hereby vacated.

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

The wife/opposite party No.1 will be at liberty to take
out appropriate application for recovery of arrears before the
learned Judicial Magistrate.

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

(Tirthankar Ghosh, J.)