

13.07.2021
Item no.29
Ct. No.34
CHC

C.R.R. No.1495 of 2013

(Via Video Conference)

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

AND

In the matter of:-

Dipak Mandal

... petitioner

The present revisional application has been preferred against the judgement and order dated 11.12.2012, passed by the learned Judicial Magistrate, 2nd Court, Malda, in connection with Case No. 25(M) of 2010 corresponding to TR No.211 of 2010 under Section 125 of the Code of Criminal Procedure.

Learned Magistrate after taking into account the evidence adduced by both the parties arrived at a conclusion that the wife and minor son are entitled to maintenance and accordingly, awarded Rs.2000/- per month to the wife and Rs.2000/- per month for minor son which was to take effect from the date of passing of the order.

Having regard to the reasons assigned by the learned Magistrate, which is after taking into account the evidence adduced by both the parties, I am of the view that there is no scope for interference with the judgement and order dated

11.12.2012, passed by the learned Judicial Magistrate, 2nd Court, Malda.

Accordingly, C.R.R.1495 of 2013 is dismissed.

Pending application, if any, is hereby disposed of.

Interim order, if any, is hereby vacated.

The wife/opposite party no.1, will be at liberty to recover the arrears by taking out appropriate application before the learned Judicial Magistrate.

All parties shall act in terms of copy of this order downloaded from the official website of this Court.

(Tirthankar Ghosh, J.)