

Sr.69
10-09-2021
Subha.
Court no. 34

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

CRR 2121 of 2012

In the matter of : Smt. Kajal Chakrbortypetitioner.

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

The grievance of the petitioner relate to quantum of maintenance being allowed by the learned A. C. J. M., Haldia, Purba Medinipore in Misc Case No. 9 of 2005 under Section 125 of the Code of Criminal Procedure.

I find that the learned Magistrate after appreciating the evidence was pleased to award Rs.1000/- by way of maintenance to the present petitioner/wife.

Having regard to the quantum of maintenance so decided by the learned Magistrate, I am of the view that the same is a meagre amount which is not enough for an individual to survive.

Accordingly, learned Magistrate is directed to reconsider the quantum.

Having regard to the present day expenses which is required for an individual to sustain herself.

Consequently, the part of the order which relates to the quantum of Rs.1000/- being awarded is hereby set aside.

The learned Magistrate would freshly consider which is to be awarded in connection with the instant case.

Accordingly, the present revisional application being CRR 2121 of 2012 is allowed.

Department is directed to communicate this order to the learned A.C.J.M, Haldia, Purba Medinipore who till take steps for deciding the order impugned within a period of two months from the date of communication of this order.

Learned Magistrate is diffracted to act on the server copy of this order duly downloaded from the official website of this court.

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

(Tirthankar Ghosh, J.)